

Chapter 2

Technology, Information Management, and Information Security

This chapter includes seven main sections: Use of Technology General, Sources of Data and Background Studies, Barriers to Use of Information Technology, Internal Databases/Other Sources of Environmental Information, Information Management and Retrieval Tools, Communication Technology, and Balancing Public Involvement and Information Security.

Use of Technology General

Summary

Many respondents who comment about the use of technology assert its importance in making informed NEPA decisions in an adequate and timely manner. A number of respondents suggest that the Task Force should encourage agencies to use current technologies when implementing the NEPA process. Others suggest that lead agencies should be responsible for integrating information technology into the NEPA process. “Conduct a series of workshops among the key agencies,” suggests one individual, “to identify a priority list of coordinated information technology needs.” In addition, some respondents emphasize the usefulness of technology in addressing specific areas of NEPA planning processes. They suggest creating a technology framework addressing areas such as project administration, work flow management, document management, geographic information system (GIS) management, and record keeping. On the other hand, some believe that “actions must focus on the result, not the technology to get there.”

602. Public Concern: The CEQ Task Force should encourage agencies to use current technologies.

TO ENHANCE THE NEPA PROCESS

Technology has changed dramatically since the CEQ Regulations were drafted. Proper procedures should allow technology to enhance, not burden, the NEPA process. (Recreational Organization, Boise, ID - #90.2.20000.XX)

TO PROVIDE QUALITY DATA COLLECTION AND ANALYSIS

The latest technologies provide tremendous abilities in efficiency, quality and quantity of data collection and especially analysis. For example, with one click of the mouse on a GIS map (Arc Map) on your pc an unlimited amount of information can be accessed for that point (total cost \$1000 for hardware and easy to use) photos, videos, stand data, wildlife habitat indicators, silvicultural prescriptions and so on. This data can be used to create depictions of short and long-term views of the landscape using such software as World Construction Set or Visual Nature Studio (others out there). This data can also be used to input into software programs such as NEXUS and Fuels Management Analyst Plus to assess wildfire risk (urban interface projects). (Individual, McCall, ID - #29.1.20400.A4)

TO ADVANCE ENVIRONMENTAL PROTECTION

When an agency does not possess the information it obviously needs, it should bear the burden to find that information. An example here is the increasing use of satellite imagery for various environmental enforcement issues. Although we respect the potential national security issues associated with these

technologies, there is no doubt that the use of satellites would help monitor actions on the high seas, in the atmosphere, in remote places and likewise. (A1-2). Modern technology is of little, or even detrimental, use to NEPA's purposes if such technology cannot be utilized to advance environmental protection. (Preservation/Conservation Organization, Washington, DC - #465.13.20000.XX)

603. Public Concern: The CEQ Task Force should give lead agencies the responsibility for integrating information technology into the NEPA process.

It is clear that many judgment calls will have to be made regarding the appropriate means for integrating information technology into the NEPA process. As a general principle, the responsibility for making those judgment calls resides - and should reside - with the lead agencies in the NEPA process. It is important to preserve the flexibility for lead agencies to decide, on a case-by-case basis, which technological tools to apply and how to apply them. A prescriptive, mandate-driven approach would be counterproductive and could actually impede efforts to develop better tools for utilizing information technology in the NEPA process. The better approach is to establish regulations that allow flexibility, and then disseminate best practices and technical tools for use by the lead agencies as they deem appropriate. (American Association of State Highway and Transportation Officials, Washington, DC - #591.3.20200.XX)

604. Public Concern: The CEQ Task Force should conduct workshops to determine information technology needs.

Conduct a series of workshops among the key agencies, NGO's and professional organizations in order to identify a priority list of coordinated information technology needs, areas of specific expertise, areas of duplication and areas in need of standardization. (NEPA Professional or Association - Private Sector, Washington, DC - #450.20.20310.A3)

605. Public Concern: The CEQ Task Force should create a technology framework to address specific areas.

PROJECT ADMINISTRATION

Project Administration: A Web-based Portal for the project management of all NEPA related activities that will allow for customized reporting to the public of project status by all levels of a federal agency and across federal agencies. (Western Governors' Association, Denver, CO - #588.8.20400.XX)

WORK FLOW MANAGEMENT

Work Flow Management: A decision support process that leads the user through a series of steps to determine the appropriate type of document required to ensure compliance with NEPA and other laws and regulations. (Western Governors' Association, Denver, CO - #588.9.20400.XX)

DOCUMENT/TEXT MANAGEMENT

Document/Text Management: A database approach to creating and maintaining NEPA documents authored by a variety of interdisciplinary specialists from within and outside of the federal agencies. (Western Governors' Association, Denver, CO - #588.10.20400.XX)

GEOGRAPHIC INFORMATION SYSTEM MANAGEMENT

Geographic Information System Management: A system to identify, create and maintain data and make available to NEPA team members geographic information. With respect to land management planning, GIS technology is a vital component of a successful NEPA process. Virtually everything relative to a land management decision is spatial in nature. Most, if not all, federal agencies already employ GIS technology to conduct many of the analyses done in the development of these plans. Moreover, stakeholders in land management decisions also relate to location, they want to know what is being proposed and where it falls on the landscape. Location is often the focus of their comments and concerns. (Western Governors' Association, Denver, CO - #588.11.20400.XX)

INTERACTIVE DOCUMENTS

Interactive Document: Administrative tools to control the creation of digital interactive documents designed to encourage and facilitate federal and non-federal partner participation. The interactive document links specific sections of text to specific features on maps, etc., allows users to “click” on features to see relevant text, and allows users to identify specific document text and see where in the landscape that text is relevant. (Western Governors’ Association, Denver, CO - #588.12.20400.XX)

COMMENT SUBMISSION/CONTENT ANALYSIS

Comment Submission/Content Analysis: Should allow for the submission of more substantive comments through issues education and pre-categorizing of content subject. This will allow comment submissions to relate directly to text and to locations on the ground utilizing the interactive document. (Western Governors’ Association, Denver, CO - #588.13.20600.XX)

RECORD KEEPING

Record Keeping: By using the tools described above on a consistent basis, an electronic record of administration will be automatically assembled without extra effort. Properly maintained, an official electronic record can be created. (Western Governors’ Association, Denver, CO - #588.14.20000.XX)

OUTPUT TO VARIOUS MEDIA

Output to Various Media: Data and information are input only once into a database to create multiple “output” products—the paper document, the interactive document (Web/CD-ROM-based), and presentation materials. (Western Governors’ Association, Denver, CO - #588.15.20500.XX)

606. Public Concern: The CEQ Task Force should consider examples of using information technology to enhance the NEPA process.

BUREAU OF LAND MANAGEMENT’S TECHNOLOGY TEMPLATE

It is our understanding that the U.S. Department of the Interior, Bureau of Land Management “E-Gov for Planning and NEPA” project will adopt a technology template and we encourage CEQ to examine that effort as you consider how to standardize the use of technology in the NEPA process across federal agencies. (Western Governors’ Association, Denver, CO - #588.16.20000.XX)

FLORIDA DEPARTMENT OF TRANSPORTATION EFFICIENT TRANSPORTATION DECISION MAKING AND RE: NEPA COMMUNITY OF PRACTICE

Two of the leading examples of how FHWA is supporting the use of emerging information technology to enhance the NEPA process are the Florida DOT Efficient Transportation Decision Making (ETDM) process and the Re: NEPA community of practice. Florida DOT’s ETDM process marries data and analyses available through a very rich GIS library with customized email for expediting and tracking the history of interagency coordination from early planning studies through the life of the project. Re: NEPA is a web based community of practice which provides NEPA practitioners with a very user friendly forum for seeking advice from peers across the world, for sharing their experience, and for keeping up with recent policy and technical changes, including works in progress. (Federal Highway Administration, Washington, DC - #658.10.20400.XX)

607. Public Concern: The CEQ Task Force should encourage agencies to focus on the result, not the technology used to get there.

Various agencies, and especially EPA, tend to use a command and control approach to their NEPA analysis. If something is not done their way they are not satisfied, irrespective of whether there is any added benefit to the environment.

Recommendation: 1) Actions must focus on the result, not the technology to get there. The regulation should be changed to make this point. 2) The phrase “best available technology” should be removed totally. Throughout the NEPA review process, all requirements should focus on the result expected, not on the technology to get there. The question of which technology will be used should be left to the applicant. Specifying technology will restrict and stymie the development of new approaches and new technology. In Alaska we have recently seen the folly of requiring use of BAT where EPA forced a mine

to use new un-proven technology that was significantly more costly (both capital and operating) and resulted in a lower net reduction in discharges . . . all in the name of best available technology. (Mining Industry, Anchorage, AK - #645.7.10220.XX)

Sources of Data and Background Studies

Summary

This section includes the following topics: Sources Used, and Suggested Criteria/Sources.

Sources Used – Respondents cite a variety of sources that are used to prepare or comment on NEPA analyses. These sources range from specific electronic sources, to media sources, existing documents and studies, and public offices. According to one respondent, “The data sources used by individual third-party contractors vary depending on the nature and scope of the proposed action and the potential significance of the environmental impacts.” For electronic sources of data used to prepare or comment on NEPA analyses, respondents mention the Internet and Intranet, websites, project or agency established websites, web based document management systems, CDs and GIS databases, resource specific databases, and hypertext documents. Some respondents also rely on media sources such as magazines, newspapers, satellite media (such as public television), and e-mail alerts from MSNBC, CNN and The New York Times.

Some individuals prefer to reference documents and reports such as forest plans, published scientific reports, technical literature, and scientific journals for data. Others look to state wildlife, aquatic, water, and air surveys; inventories such as National Wetland Inventory; USGS topographical maps; and predictive noise, vibration and air quality modeling to prepare or comment on NEPA analyses.

Respondents also list federal, state, and local agencies, public offices, libraries, and former landowner records as additional resources for NEPA background studies. Some further suggest the use of agency specialists; state and federal resource professionals; local, state, and federal biologists, and other staff with specific expertise. Others look to non-profit and foundation organizations, professional organizations, conservation groups, expert consultants and the interested public as resources. Additionally, some individuals refer to laws and regulations, regional appeals and litigation compendiums, and government training in their background studies.

Suggested Criteria/Sources – Some respondents ask the Task Force to establish information-gathering criteria. These writers suggest that collection needs should be based on objectives and issues connected to the proposal, and should include complete referencing practices. Other respondents assert that the Task Force should encourage on-line access to information, and should make environmental review documents available electronically. In addition, respondents suggest that the Task force should provide interactive links to referenced materials, and establish one location that provides questions from the public and the most recent information responses. Other respondents think that the Task Force should develop a system through which the public could access all information relevant to a NEPA project via the Internet, and that agencies should be encouraged to provide a web site where scientific literature is summarized. “In order to participate effectively in the discussion of a particular site specific EIS,” asserts one individual, “the public needs to clearly understand the generic, fundamental environmental processes at issue in the project.” As a result, some suggest that agencies should develop a central public

domain with an on-line, illustrated environmental glossary that could be key word linked to on-line EISs. Others recommend that agencies should provide access to NEPA information sources.

Other respondents suggest that the Task Force should encourage the use of background data from scientific studies only, while others suggest that agencies should be encouraged to conduct early terrain studies as a form of information gathering. Some assert that computer modeling should be encouraged because it allows “land resource planners to test theories of how natural systems operate years into the future.” Conversely, others point out that “[modeling] programs depend on many variables (e.g., weather patterns, mortality and reproduction factors of a particular species, land use activities), and humans cannot predict or control every variable,” and therefore modeling should be used only to provide guidance. Some advise against over reliance on computer modeling technology.

A few writers encourage agencies to implement effective environmental management standards because “this would be a major contribution to effective NEPA/EMS integration.” Others stress the importance for all states to develop GIS inventories to facilitate more effective environmental system management.

Sources Used

General Electronic Sources

608. Public Concern: The CEQ Task Force should consider what sources of existing data are used to prepare or comment on NEPA analyses.

INTERNET AND INTRANET

[A1] Use of the internet/intranet for the latest studies (a more centralized location would facilitate getting the latest and greatest). (Individual, McCall, ID - #27.1.20100.A1)

PROJECT- OR AGENCY-ESTABLISHED WEBSITES

- State Coastal Management Programs websites.
- NOAA Fisheries Service
- State EPA websites
- NEPA Net as a link to other Federal Agency NEPA web sites. (United States Navy, Washington, DC - #568.2.20100.A1)

WEB BASED DOCUMENT MANAGEMENT SYSTEMS

[Source of existing data:] web based document management systems and geographic information systems. (United States Air Force, Washington, DC - #525.1-2.20100.A1)

CD'S AND GIS DATABASES

[Sources of existing data:] . . . CDS and GIS databases . . . (Individual, Plymouth, NH - #12.1.20100.A1)

RESOURCE SPECIFIC ELECTRONIC DATABASES

Data are available in computer databases (e.g., EPA's STORET water quality database, GIS, Census data) and listings or other information specific to a particular resource (e.g., coastal barrier system maps, floodplain maps, endangered/threatened species lists, National Register of Historic Places, etc.). The FAA Eastern Region, in collaboration with other Federal agencies, has taken the initiative to establish a database of environmental information for airports in that Region. (Federal Aviation Administration, No Address, - #534.2.20100.A1)

HYPERTEXT DOCUMENTS

[Source of existing data:] Information is managed in a series of formats including hypertext documents, databases; geospatial files with attribute data . . . (United States Air Force, Washington, DC - #525.1-2.20100.A1)

Media Sources

609. Public Concern: The CEQ Task Force should consider what sources of existing data are used to prepare or comment on NEPA analyses.

PRINT MEDIA SUCH AS MAGAZINES, NEWSPAPERS, ETC.

[A1] Usually through the print media—news magazines, newspapers, etc. Also satellite media such as Discover, Public TV. (Individual, Palmer, AK - #140.1.20100.A1)

I typically read The Economist, the Wall Street Journal, MSNBC and the Environmental News Network for related stories. (Individual, San Diego, CA - #162.1.20100.A1)

SATELLITE MEDIA SUCH AS DISCOVER, PUBLIC TV

[A1] . . . Satellite media such as Discover, Public TV. (Individual, Palmer, AK - #140.1.20100.A1)

MSNBC DESKTOP ALERTS, CNN AND NEW YORK TIMES E-MAIL ALERTS

My computer is set up to receive desktop alerts from MSNBC, I also receive email alerts from CNN and the New York Times. (Individual, Jacksonville, FL - #160.1.20100.A1)

Documents/Reports

610. Public Concern: The CEQ Task Force should consider what sources of existing data are used to prepare or comment on NEPA analyses.

FOREST PLANS

[Sources of existing data:] Forest Plan . . . (Individual, Plymouth, NH - #12.1.20100.A1)

PREVIOUS NEPA PROJECT DOCUMENTS

[Sources of existing data:] . . . previous NEPA project documents . . . (Individual, Plymouth, NH - #12.1.20100.A1)

OTHER FOREST-LEVEL PROGRAMMATIC DOCUMENTS AND WHITE PAPERS

[Sources of existing data:] . . . other Forest-level programmatic documents and white papers . . . (Individual, Plymouth, NH - #12.1.20100.A1)

FOREST M AND E REPORTS AND E-J STATE DEMOGRAPHIC REPORTS

[Sources of existing data:] . . . Forest M and E Reports; EJ-State demographic reports . . . (Individual, Plymouth, NH - #12.1.20100.A1)

ENVIRONMENTAL INFORMATION DOCUMENTS AND OTHER NEPA DOCUMENTS

[A] Data and background studies to either prepare NEPA analyses come from national, regional, state, and local Geographic Information Systems (GIS) data coverages; information from the applicant (e.g., Environmental Information Documents (EID), other NEPA documents . . . (United States Environmental Protection Agency, No Address - #299.11.20100.A1)

ECONOMICS-PROJECT WORK PLANS, TIMBER SALE DATA, AND OTHER INCOME SOURCES DATA

[Sources of existing data:] . . . economics-project work plans, timber sale data; other income sources data . . . (Individual, Plymouth, NH - #12.1.20100.A1)

305 (B) REPORTS AND 303 (D) REPORTS

A.1. Printed and electronic reports from governmental agencies, particularly water quality reports such as 2-year 305(b) reports, 303(d) lists, (Preservation/Conservation Organization, Bozeman, MT - #662.2.20100.A1)

ANNUAL SITE ENVIRONMENTAL REPORTS

The Department uses a wide variety of information sources in preparing and reviewing NEPA documents, including DOE and non-DOE sources. Examples of DOE sources of information include:

Annual Site Environmental Reports -- These detailed reports on emissions, regulatory compliance and other environmental factors are required for most DOE sites and provide valuable environmental baseline information. Site Environmental Baseline Reports - Some large DOE sites regularly update environmental baseline information useful in streamlining NEPA reviews. For example, the Hanford Site National Environmental Policy Act (NEPA) Characterization, PNNL-6415 is updated annually. (United States Department of Energy, Washington, DC - #536.1.20100.A1)

SCIENTIFIC ECOREGIONAL ASSESSMENTS TO SUPPLEMENT STATE DATA

Some State forestry agencies have indicated that they find scientific ecoregional assessments prepared by Federal agencies, such as the work of the Forest Ecosystem Management Assessment Team (FEMAT), Sierra Nevada Ecosystem Project (SNEP) and Interior Columbia Basin Ecosystem Management Project (ICBEMP), to be useful supplements for State data, which they may use in their work. States have provided comments on these documents, and in some cases have requested and been denied joint-lead agency status. (Other, Washington, DC - #587.2.20100.A1)

SAFETY ASSESSMENT DOCUMENTS

The Department uses a wide variety of information sources in preparing and reviewing NEPA documents, including DOE and non-DOE sources. Examples of DOE sources of information include: . . . Safety Assessment Documents -- This category includes a range of documentation on the safety status of DOE fatalities that may be relevant for proposed new activities. (United States Department of Energy, Washington, DC - #536.1.20100.A1)

TECHNICAL STANDARDS, MANUALS, AND HANDBOOKS

The Department uses a wide variety of information sources in preparing and reviewing NEPA documents, including DOE and non-DOE sources. Examples of DOE sources of information include: . . . Technical Standards, Manuals, and Handbooks - These technical resources ensure consistency in assumptions and methodologies for risk analyses, such as accident analyses. Examples include a handbook for preparing transportation risk analyses under NEPA, and a technical standard for evaluating radiation doses to biota. (United States Department of Energy, Washington, DC - #536.1.20100.A1)

FOREST SERVICE HANDBOOK 1909.15, AND CEQ REGULATIONS AT 40 CFR 1500-1508

My NEPA input is mostly related to legal sufficiency reviews to assure the NEPA process was followed correctly. I get my data from the USFS handbook 1909.15 and the CEQ regulations at 40 CFR, part 1500-1508. (Government Employee/Union, Grangeville, ID - #44.1.20160.A6)

COMPARTMENT RECORDS AND LOCAL HISTORICAL RECORDS

[Sources of existing data:] . . . compartment records; local historical records . . . (Individual, Plymouth, NH - #12.1.20100.A1)

AGENCY SCIENTIFIC REPORTS

A1. We frequently rely on Forest Service, BLM, and other agency scientific reports for our comments on NEPA projects. Because many of our members have scientific expertise, we sometimes rely on them to bring to our attention data and studies that may be useful to us in preparing comments. (Preservation/Conservation Organization, Vancouver, WA - #103.1.20100.A1)

CURRENT LITERATURE

[Sources of existing data:] . . . current literature . . . (Individual, Plymouth, NH - #12.1.20100.A1)

TECHNICAL LITERATURE

[A] Technical literature (United States Environmental Protection Agency, No Address - #299.11.20100.A1)

PUBLISHED SCIENTIFIC LITERATURE

I find data and background studies for NEPA documents by . . . obtaining published scientific literature . . . (NEPA Professional or Association - Private Sector, Tucson, AZ - #82.1.20100.A1)

PEER-REVIEWED DATA PUBLISHED IN SCIENTIFIC JOURNALS AND/OR PRESENTED AT CONFERENCES

[A1] When reviewing and commenting on the Environmental Impact Statement (EIS) and Assessments (EA) of federal agencies, we regularly use peer-reviewed data that are published in scientific journals and/or presented at conferences of professional societies, like The Wildlife Society and Society for Range Management. (Recreational/Conservation Organization, Washington, DC - #89.1.20100.A1)

RECENT BOOKS ON ECOSYSTEM MANAGEMENT AND SILVICULTURE

[A1] Latest books on ecosystem management and silviculture. (Individual, McCall, ID - #27.1.20100.A1)

Surveys/Inventories/Maps/Models/etc.

611. Public Concern: The CEQ Task Force should consider what sources of existing data are used to prepare or comment on NEPA analyses.

FIELD SURVEYS

[A1] WisDOT staff or consultants conduct and document field surveys of natural and cultural resources. (Wisconsin Department of Transportation, Madison, WI - #214.3.20100.A1)

PROJECT- AND FOREST-LEVEL SURVEY DATA

[Sources of existing data:] . . . project- and forest-level survey data (Individual, Plymouth, NH - #12.1.20100.A1)

STATE WILDLIFE, AQUATIC, WATER, AIR SURVEYS AND DATA

[Sources of existing data:] . . . state wildlife, aquatic, water, air surveys and data (Individual, Plymouth, NH - #12.1.20100.A1)

STATE AND FEDERAL AGENCY RESEARCH AND DATABASES SUCH AS THE US GEOLOGICAL SURVEY'S GAP LAND COVER ASSESSMENT AND THE FOREST SERVICE'S FOREST INVENTORY AND ASSESSMENT

[A1] When reviewing and commenting on the Environmental Impact Statement (EIS) and Assessments (EA) of federal agencies, we . . . follow the research of state and federal agencies and often incorporate the findings of those agencies into our EIS/EA reviews. Examples of agency databases we have used include the US Geological Survey's GAP Land Cover Assessment and the US Forest Service's Forest Inventory and Assessment. Such databases let us compare current conditions with the expected conditions under an agency's EIS/EA. (Recreational/Conservation Organization, Washington, DC - #89.1.20100.A1)

FIELD SURVEYS OF VEGETATING COMMUNITY TYPES, CULTURAL RESOURCES, WETLANDS, SENSITIVE WILDLIFE SPECIES, VEHICULAR TRAFFIC, AND SENSITIVE NOISE RECEPTORS

The data sources used by individual third-party contractors vary depending on the nature and scope of the proposed action and the potential significance of the environmental impacts. Data sources and analyses used in the past have included. . . . field surveys of vegetating community types, cultural resources, wetlands, sensitive wildlife species, vehicular traffic, and sensitive noise receptors (Surface Transportation Board, No Address - #519.4.20100.A1)

PUBLISHED SOURCE MATERIALS SUCH AS NATIONAL WETLAND INVENTORY MAPS AND SOIL SURVEYS

The data sources used by individual third-party contractors vary depending on the nature and scope of the proposed action and the potential significance of the environmental impacts. Data sources and

analyses used in the past have included. . . . published source materials such as National Wetland Inventory maps and soil surveys (Surface Transportation Board, No Address - #519.4.20100.A1)

VISUAL FX AND STATE NATURAL HERITAGE INVENTORY

[Sources of existing data:] . . . visual FX; state Natural Heritage Inventory (Individual, Plymouth, NH - #12.1.20100.A1)

WETLANDS INVENTORY

[Sources of existing data:] . . . wetlands inventory. (Individual, Plymouth, NH - #12.1.20100.A1)

IN-HOUSE INVENTORY

In addition to the sources listed as examples in the question, I also find data in in-house inventory . . . (Individual, Homestead, FL - #482.1.20100.A1)

INTERNALLY DEVELOPED WETLAND INVENTORY AND ARCHEOLOGICAL DATABASES

[A1] WisDOT developed and maintains a wetland inventory and an archeological database. (Wisconsin Department of Transportation, Madison, WI - #214.3.20100.A1)

TRANSPORTATION ATLAS

[Sources of existing data:] . . . transportation atlas (Individual, Plymouth, NH - #12.1.20100.A1)

PREDICTIVE MODELS AND TREND ANALYSES

[A1] WisDOT uses predictive models, such as the “gravity model” and trend analyses to anticipate direct and indirect social and economic effects of our projects. (Wisconsin Department of Transportation, Madison, WI - #214.3.20100.A1)

USGS TOPOGRAPHIC MAPS

Information sources currently used include USGS topographic maps. (Individual, Denver, CO - #615.1.20100.A1)

PREDICTIVE NOISE, VIBRATION AND AIR QUALITY MODELING

The data sources used by individual third-party contractors vary depending on the nature and scope of the proposed action and the potential significance of the environmental impacts. Data sources and analyses used in the past have included. . . . predictive noise, vibration and air quality modeling. (Surface Transportation Board, No Address - #519.4.20100.A1)

GEOSPATIAL LIBRARIES

[Source of existing data:] Most states have geospatial libraries, usually maintained by a state university, that have data of statewide resolution (United States Air Force, Washington, DC - #525.1-2.20100.A1)

MONITORING PROGRAMS

In addition to the sources listed as examples in the question, I also find data in . . . monitoring programs. (Individual, Homestead, FL - #482.1.20100.A1)

TRACT DATA TO ADDRESS POTENTIAL ENVIRONMENTAL JUSTICE ISSUES

The data sources used by individual third-party contractors vary depending on the nature and scope of the proposed action and the potential significance of the environmental impacts. Data sources and analyses used in the past have included. . . . Internet-based data collection, including census tract data to address potential Environmental Justice issues, and U.S. Geological Survey topographic mapping (Surface Transportation Board, No Address - #519.4.20100.A1)

Agency or Other Public Offices

612. Public Concern: The CEQ Task Force should consider what sources of existing data are used to prepare or comment on NEPA analyses.

PUBLIC AGENCIES

We feel it is generally best to review and apply data from the Forest Service and other public agencies, especially the Bureau of Land Management. (Bob Cope, Commissioner, Lemhi County Board of Commissioners, Salmon, ID - #70.1.20100.A1)

CONSULTATIONS WITH FEDERAL, STATE AND LOCAL AGENCIES

The data sources used by individual third-party contractors vary depending on the nature and scope of the proposed action and the potential significance of the environmental impacts. Data sources and analyses used in the past have included.

-Consultations with and data supplied by Federal, state and local agencies with expertise . . . (Surface Transportation Board, No Address - #519.4.20100.A1)

CONGRESSIONAL RESEARCH SERVICE

Our information to great extent is provided by Congressional Research Service. (Multiple Use or Land Rights Organization, Rock Springs, WY - #453.6.20100.A1)

INTERNAL DATABASES AND THOSE OF THE DEPARTMENT OF NATURAL RESOURCES, ENVIRONMENTAL PROTECTION AGENCY, ARMY CORPS OF ENGINEERS, FISH AND WILDLIFE SERVICE, NATIONAL PARKS SERVICE, STATE AND LOCAL RESOURCE AGENCIES, ACADEMIA, AND THE PUBLIC

[A1] WisDOT uses all reasonable means at its disposal to find data and background studies during preparation of our EISs. For any given EIS project WisDOT has obtained information from the census, regional and local statistics, our own databases and those of our Department of Natural Resources, EPA, Army Corps of Engineers, Fish and Wildlife Service, National Parks Service, State and local resource agencies, plus academia and the public. (Wisconsin Department of Transportation, Madison, WI - #214.3.20100.A1)

DEFENSE ENVIRONMENTAL NETWORK AND INFORMATION EXCHANGE AND ADDITIONAL FEDERAL AGENCIES

A variety of sources are used to assist with data collection for NEPA analyses. The first step is usually an internal search for previously published documents that may be related to our proposed action. This search would be accomplished by using knowledge of previous NEPA actions, web home pages, etc. Other resources utilized are included in the following list.

- Defense Environmental Network and Information Exchange (DENIX).
- National Oceanic and Atmospheric Administration
- Occupational Safety and Health
- Naval Oceanographic Office
- NASA

The Navy also utilizes information generated from Navy funded research, particularly on the subject of marine mammals and acoustics. (United States Navy, Washington, DC - #568.2.20100.A1)

U.S. CENSUS BUREAU

A.1 An excellent source of data is the US Census Bureau. Too often NEPA documents copy from pre-existing EAs or EISs without updating demographic information. The recently released "Draft EA for the Transfer of Facilities and Equipment to the United States Enrichment Corporation Centrifuge Research and Development Project at the East Tennessee Technology Park" cited 1990 data for housing in Oak Ridge. (Civic Group, Oak Ridge, TN - #88.4.20100.A1)

GENERAL ACCOUNTING OFFICE

Our information to great extent is provided by electronic means through the General Accounting Office . . . (Multiple Use or Land Rights Organization, Rock Springs, WY - #453.6.20100.A1)

RESEARCH CENTERS, UNIVERSITIES, AND SPECIAL INTEREST ORGANIZATIONS THAT OFFER SCIENTIFIC OR STATISTICAL DATA

[A1] . . . I get supplemental information from research centers, universities and special-interest organizations that offer scientific or statistical data. (Individual, Washington, DC - #47.1.20100.A1)

RESEARCH DATA FROM LOCAL EXPERIMENTAL FOREST, RESEARCH STATION, AND RESEARCHERS

[Sources of existing data:] . . . research data from local experimental forest, research station, and researchers . . . (Individual, Plymouth, NH - #12.1.20100.A1)

WISCONSIN DEPARTMENT OF TRANSPORTATION INFORMATION MANAGEMENT/GIS WORKBENCH

The WSDOT Environmental Information Management/GIS Workbench is a GIS interface available for internal WSDOT use only. It has over 100 environmental and natural resource management data themes largely acquired from environmental resource management organizations. WSDOT works with federal, state, and local agencies to maintain this data for use in statewide environmental analysis during NEPA, corridor planning, project development and project permitting. WSDOT is working with a joint USDOT/NASA research program to include remotely sensed data into this collection in order to provide imagery. (Washington State Department of Transportation, Olympia, WA - #551.5.20100.A1)

STATE FISH AND GAME DEPARTMENT

[Sources of existing data:] . . . state Fish and Game Department . . . (Individual, Plymouth, NH - #12.1.20100.A1)

COOPERATIVE FISH AND WILDLIFE RESEARCH UNITS

For 67 years the Wildlife Management Institute has partnered with land grant universities, state natural resource agencies and the US Geological Survey-Biological Resources Division to maintain the operations of 39 Cooperative Fish and Wildlife Research Units. These units facilitate research on renewable natural resources, help train graduate students in the natural resources field, extend technical assistance and consultation to groups interested in natural resource issues, and provide seasoned professionals with opportunities for continuing education. (Recreational/Conservation Organization, Washington, DC - #89.5.20300.A3)

PACIFIC SOUTHWEST EXPERIMENT STATION

[A1] Pacific Southwest Experiment Station . . . (US Forest Service), (Individual, Willows, CA - #316.1.20100.A2)

FOREST SERVICE LIBRARY

[A1] U.S. Forest Service Library . . . (Individual, Willows, CA - #316.1.20100.A2)

LIBRARIES AND MEDIA

[A1] Either from the federal agency listed on the NEPA notice or by brute strength (libraries, media, internet). Often the information has to be chased through libraries, FOIAed. (Individual, Coquille, OR - #66.1.20100.A1)

FORMER LANDOWNER RECORDS AT THE COUNTY CLERK'S OFFICE

From former landowner records at the county clerk's office where the land is located. (Individual, Indianapolis, IN - #321.1.20100.A1)

AUTOMATED GEOGRAPHIC REFERENCE CENTER

The department obtains such information from the various divisions within the department and other departments and divisions of state government, particularly the Automated Geographic Reference Center. The department bases its NEPA analyses and comments, not on speculation, but on a

compilation of valid data gathered by competent resource professionals. (Utah Department of Natural Resources, Salt Lake City, UT - #565.3.20100.A1)

Agency Specialists

613. Public Concern: The CEQ Task Force should consider what sources of existing data are used to prepare or comment on NEPA analyses.

STAFF EXPERTISE AND REVIEWS

[A] Staff expertise. During project review, information may also be obtained through conducting site visits.

Input received from EPA's associate reviewers often reflects information contained in wetlands inventories, air quality analyses, and sampling efforts (e.g., results of specific monitoring efforts such as those in New York Harbor) in support of federally proposed actions. (United States Environmental Protection Agency, No Address - #299.11.20100.A1)

STATE AND FEDERAL RESOURCE PROFESSIONALS

[A1] When reviewing and commenting on the Environmental Impact Statement (EIS) and Assessments (EA) of federal agencies . . . on a daily basis we interact with . . . the resource professionals for state and federal agencies. Through these trusted relationships, each of us acquires detailed information about natural resource issues, either over the phone, in writing or during field visits. (Recreational/Conservation Organization, Washington, DC - #89.1.20100.A1)

LOCAL, STATE, AND FEDERAL BIOLOGISTS

I find data and background studies for NEPA documents by . . . contacting local, state, federal biologists. (NEPA Professional or Association - Private Sector, Tucson, AZ - #82.1.20100.A1)

SUPERVISOR'S OFFICE SPECIALISTS

[Sources of existing data:] . . . SO specialists . . . (Individual, Plymouth, NH - #12.1.20100.A1)

Groups/Organizations

614. Public Concern: The CEQ Task Force should consider what sources of existing data are used to prepare or comment on NEPA analyses.

PROFESSIONAL ORGANIZATIONS

Professional organizations, which we know to have peer review policies in effect (to retain the integrity of those scientific or other documents produced by them), are a source of our information while commenting on significant federal actions. (Multiple Use or Land Rights Organization, Rock Springs, WY - #453.8.20100.A1)

NON-PROFIT AND FOUNDATION ORGANIZATIONS

Sec. A 1 Data Found at; Universities, Local offices of USDA agencies and US Forest Service Data as well as Non Profit and Foundation organizations. (Individual, Johnson City, TN - #631.1.20100.A1)

CONSERVATION AND SPORTSMEN'S ORIENTED GROUPS

[A1] When reviewing and commenting on the Environmental Impact Statement (EIS) and Assessments (EA) of federal agencies . . . on a daily basis we interact with each other and the members of other conservation and sportsmen's oriented groups (Recreational/Conservation Organization, Washington, DC - #89.1.20100.A1)

E-MAILS FROM ENVIRONMENTAL GROUPS

I receive emails from many environmental groups. When I find a topic that interests me I research it (mainly using the internet) before deciding where I will stand on an issue. (Individual, Jacksonville, FL - #160.1.20100.A1)

INTERESTED PUBLICS

[Sources of existing data:] . . . interested publics . . . (Individual, Plymouth, NH - #12.1.20100.A1)

AFFECTED POPULATION

When timely and up to date census type information on demographic, or social and economic impacts or effects are needed in combination with the natural or physical environment ([sections] 1508.8 and 1508.14), we go directly to the locality being impacted or potentially impacted for information so that information can be used as a base comparative to U.S. Census Bureau surveys or federal agency studies. We can cite examples of NEPA processes that utilized national or state data erroneous of current conditions in the regions effected, which delay the NEPA process during Cooperating Agency activities under 40 C.F.R. [sections] 1501.6 and 1508.5. (Multiple Use or Land Rights Organization, Rock Springs, WY - #453.9.20100.A1)

EXPERT CONSULTANTS

A.1. Our counties typically rely on the federal agency to provide information we need to review and prepare comments on NEPA analyses. Occasionally on matters of great importance to the local area, a county or group of counties will commit limited resources to retain an expert to take a “fresh” look at data studies from the agencies and other sources, such as universities. (Association of Oregon Counties, Salem, OR - #456.1.20100.A1)

The Port Authority utilizes the services of consultants, generally through the Port Authority’s Engineering Department, to gather data and background studies, and to prepare NEPA documents. Consultants are also utilized for laboratory services and site remediation studies. (Port Authority of New York and New Jersey, New York, NY - #457.1.20100.A1)

Other

615. Public Concern: The CEQ Task Force should consider what sources of existing data are used to prepare or comment on NEPA analyses.

LAWS AND REGULATIONS GOVERNING THE AGENCY’S ACTIONS

The laws and regulations governing the agency’s action is always a good starting point. The laws and regulations are generally obtainable on web pages. (Placed-Based Group, Sacramento, CA - #522.1.20100.A1)

REGIONAL APPEALS AND LITIGATION COMPENDIUMS

[Sources of existing data:] . . . regional appeals and litigation compendiums . . . (Individual, Plymouth, NH - #12.1.20100.A1)

LOCALLY GENERATED DATA

Whenever possible, we try to utilize locally generated data to confirm or refute data from outside sources. (Bob Cope, Commissioner, Lemhi County Board of Commissioners, Salmon, ID - #70.1.20100.A1)

APPLICANT-SUPPLIED DATA ON THE NATURE AND SCOPE OF THE PROPOSED ACTION

The data sources used by individual third-party contractors vary depending on the nature and scope of the proposed action and the potential significance of the environmental impacts. Data sources and analyses used in the past have included. . . applicant-supplied data on the nature and scope of the proposed action . . . (Surface Transportation Board, No Address - #519.4.20100.A1)

PROBABILITY ANALYSES, SUCH AS THOSE RELATED TO TRAIN-VEHICULAR ACCIDENTS AND TRAIN DERAILMENTS

The data sources used by individual third-party contractors vary depending on the nature and scope of the proposed action and the potential significance of the environmental impacts. Data sources and analyses used in the past have included. . . . probability analyses, such as those related to train-vehicular accidents and train derailments . . . (Surface Transportation Board, No Address - #519.4.20100.A1)

VEHICULAR TRAFFIC ANALYSES SUCH AS RAIL-TO-TRUCK AND TRUCK-TO-RAIL FREIGHT CONVERSIONS

The data sources used by individual third-party contractors vary depending on the nature and scope of the proposed action and the potential significance of the environmental impacts. Data sources and analyses used in the past have included. . . . vehicular traffic analyses such as rail-to-truck and truck-to-rail freight conversions (Surface Transportation Board, No Address - #519.4.20100.A1)

NRCS, SHPO

[Sources of existing data:] . . . NRCS; SHPO (Individual, Plymouth, NH - #12.1.20100.A1)

GOVERNMENT TRAINING

[A1] Government Training. (Individual, Willows, CA - #316.1.20100.A2)

MICROFICHE

Currently, written comments and correspondence that are received on SEA NEPA documents are placed on microfiche for review at the Board's offices. SEA recognizes that microfiche can be difficult and cumbersome for the public to use in cases with large records. Therefore, SEA is developing procedures whereby all written comments on our NEPA documents and environmental correspondence will be electronically scanned and placed on the Board's website. (Surface Transportation Board, No Address, - #519.13.20000.A6)

616. Public Concern: The CEQ Task Force should consider the type of information collected for data and background studies.

GEOGRAPHIC AREA, SIZE AND COMPLEXITY OF OPERATION, TYPE OF LIVESTOCK, USFS OR BLM PERMIT, RIPARIAN VERSUS NON-RIPARIAN, SEASONAL VERSUS YEAR LONG USAGE

Livestock producers with federal grazing permits are subject to NEPA processes and therefore desire to be involved in the NEPA process. Oregon Cattlemen's Association in many instances study federal documents and provide comments to agencies during the planning process. The type of information collect by members varies from producer to producer, and may include differences such as geographic area, size and complexity of operation, type of livestock, USFS or BLM permit, riparian vs. non-riparian, seasonal vs. year long usage and other information relevant to the action. (Domestic Livestock Industry, La Grande, OR - #496.1.20100.A1)

Suggested Criteria/Sources

617. Public Concern: The CEQ Task Force should establish information-gathering criteria.

Criteria need to be established in the preparation of NEPA documents regarding the use of information sources. (Individual, Moscow, ID - #5.3.20100.A2)

WITH COLLECTION NEEDS BASED ON OBJECTIVES AND ISSUES CONNECTED TO THE PROPOSAL

[A2] Base data collection needs on the objectives and the issues connected to the proposal—not one fits all. (Individual, McCall, ID - #28.2.20200.A2)

INCLUDING COMPLETE REFERENCING PRACTICES

I review the air quality analyses of NEPA documents that include fire treatment. What I look for when reviewing NEPA documents is primarily:

1. What is the size of project (acres, smoke emissions)?
2. What is the timing of the fire treatments (estimate of daily and annual acres)?
3. Were smoke sensitive areas identified?
4. What are the predominant meteorological patterns?
5. How will the smoke movement be monitored?
6. What kinds of emission and smoke impact reduction techniques will be used?
7. Is there a public notification process?
8. What mitigation actions will be taken if a sensitive area is impacted by smoke?
9. Were alternatives to fire considered and will any be used?
10. Is the State smoke management program adequately described?

Often, this information is generally scattered throughout a document so it takes time to find the information if it even exists. I am attaching an example of a NEPA document where all the information was included in the air quality analysis. I will qualify that this analysis was much more than needed given the size of the project but it would be a good example for a larger sized project. Another option is to include complete cross-referencing so the information is easily found in the other sections. It is very useful for NEPA documents to be provided on the Internet so that the reader can use the search command for key words. This greatly speeds up the review process. I have also found that NEPA documents include statements without referencing. It would greatly strengthen the documents if more complete referencing practices were used. (Idaho State Division of Environmental Quality, Boise, ID - #300.2.20100.A1)

618. Public Concern: The CEQ Task Force should encourage on-line access to information.

SHOULD ENCOURAGE AGENCIES TO MAKE ENVIRONMENTAL REVIEW DOCUMENTS AVAILABLE ELECTRONICALLY

Federal agency implementation of NEPA would be enhanced with more consistent electronic capture and availability, in digital format, of federal agency environmental review documents and decisions. This should include all EAs, NOIs, and FONSI, as well as determinations on categorical exclusions, in addition to Environmental Impact Statements. These records may then be used for informational purposes in preparing documents. Relevant studies or literature on a subject may be discovered through a review of the documents. Also, categorical exclusions and decision-making processes may be modified based on this information. A recent attempt to obtain such information from a federal agency demonstrated that it was not available in retrievable form. States that have little NEPA's should also maintain good electronic databases on such documents. (Other, Washington, DC - #506.28.20100.XX)

SHOULD PROVIDE INTERACTIVE LINKS TO REFERENCED MATERIAL

Currently, we rely on the analysis within the NEPA document itself to provide our critique. Occasionally we will seek out referenced data and studies to discover and substantiate issues that are significant to our interests. This can be a very time consuming exercise. As mentioned above, interactive links to referenced materials would be very helpful. (Timber or Wood Products Industry, Kalispell, MT - #462.2.20100.A1)

SHOULD PROVIDE ONE LOCATION THAT PROVIDES QUESTIONS FROM THE PUBLIC AND THE MOST RECENT INFORMATION RESPONSES

One location that would provide standard questions from many of the public and the most recent information response for a given resource would be very helpful. (Individual, Willows, CA - #319.2.20310.A2)

SHOULD ENCOURAGE DEVELOPMENT OF A SYSTEM THROUGH WHICH THE PUBLIC COULD ACCESS VIA THE INTERNET ALL INFORMATION RELEVANT TO A NEPA PROJECT

ELPC and CNT recommend the following improvements to the NEPA implementation process:

Internet Access to Information: To facilitate public participation, the Task Force should recommend the development of a system through which the public would be able to access via the Internet all information relevant to a project being reviewed under NEPA. (Preservation/Conservation Organization, Chicago, IL - #87.4.20500.XX)

SHOULD ENCOURAGE AGENCIES TO PROVIDE A WEB SITE WHERE SCIENTIFIC LITERATURE IS SUMMARIZED

Do you maintain databases and other sources of environmental information for environmental analyses? Please describe any protocols or standardization efforts that you feel should be used in the development and maintenance of these systems? Most specialists have a very difficult time keeping up with the latest science that is related to natural resource management. Many times, the first they hear of it is in court.

People should be hired to review the scientific literature and summarize it (categorized by resource) on a WEB page. To be included on this WEB page, the science must be legitimately peer reviewed and published in a scientific journal. Above all, the science that is included should never be segregated to just include science that only supports agency projects or programs. If all legitimate science is included, it should be understood that there will be scientific disagreements. Such disagreements must be disclosed to the public in the NEPA document. (Government Employee/Union, Grangeville, ID - #44.4.20310.A3)

SHOULD ENCOURAGE AGENCIES TO DEVELOP A CENTRAL PUBLIC DOMAIN ON-LINE ILLUSTRATED ENVIRONMENTAL GLOSSARY THAT COULD BE KEY WORD LINKED TO ON-LINE EIS'S

In order to participate effectively in the discussion of a particular site specific EIS the public needs to clearly understand the generic, fundamental environmental processes at issue in the project. In the 1970s hard copy world of our currently outdated regulations it was not possible to provide this essential background material. A rare exception has been state DOTs' partially successful attempts to communicate the basic elements of noise pollution and decibels (based on the long defunct Federal Community Noise Program). The Internet could change this if the major agencies would collaborate to develop a central public domain on-line illustrated environmental glossary that could be key word linked to on-line EISs. CEQ clearly should lead this initiative. A review of current agencies on-line glossaries reveal a hodge-podge of text-only entries many of which were developed for elementary education. (Individual, Syracuse, NY - #159.1.20600.A6)

SHOULD REQUIRE AGENCIES TO PROVIDE DOCUMENTS AND DATA USED TO SUPPORT DECISION NOTICES OR RECORD OF DECISION DOCUMENTS ON THEIR WEBSITES

[A2] We often have difficulties accessing the data or documents cited in environmental assessments and impact statements. Too often, an agency is unable to provide important data of documents until after the comment period for a proposed action's NEPA analysis has passed. To reduce this barrier, agencies should provide more online information. As a start, the Forest Service should publish the forest plans for all national forests on the web. This would allow the public to evaluate whether a proposed action conforms to the relevant forest plan. U.S. Fish and Wildlife Service-prepared biological opinions used to support Findings of No Significant Impact (FONSIs) should also be published on lead agency web sites. In short, documents and data that may be used to support Decision Notices or Records of Decision should be available for viewing on agency web sites. (Other, Seattle, WA - #213.1.20200.A2)

SHOULD REQUIRE AGENCIES TO PROVIDE ACCESS TO NEPA INFORMATION SOURCES

The Task Force should consider ways to provide additional information on how to identify and access these information resources to improve the quality of information being used under NEPA. (Business, Washington, DC - #517.3.20100.A1)

619. Public Concern: The CEQ Task Force should encourage the use of background data from scientific studies only.

Background studies and data used should only come from real scientific studies, not from studies done by biased environmental groups who claim they are scientific but in reality only suit their desires. (Individual, Grants Pass, OR - #365.1.20100.A1)

620. Public Concern: The CEQ Task Force should encourage agencies to conduct yearly terrain studies as a form of information gathering.

In their natural settings, the land and the environment tell you the actual situation of an area, landmass, or terrain. A year-to-year study of that same terrain can tell you in which direction the land, in question, is moving. This information can also inform you of the impact that industry and climatic changes are having on the terrain as well. (Individual, Miami, FL - #238.1.20100.A1)

621. Public Concern: The CEQ Task Force should encourage the use of computer modeling.

Computer modeling of natural systems lets decision makers understand how proposed land management decisions may impact populations of animals and plants and the quality of soil, water and air. More importantly, modeling programs let land resource planners test theories of how natural systems operate years into the future, thereby letting planners make informed management decisions. (Recreational/Conservation Organization, Washington, DC - #89.2.20140.A2)

TO PROVIDE GUIDANCE ONLY

[Modeling] programs depend on many variables (e.g., weather patterns, mortality and reproduction factors of a particular species, land use activities), and humans cannot predict or control every variable. Consequently, it is impossible to predict future outcomes with 100-percent certainty. For this reason, it is imperative that computer models provide guidance, and not the last word, during the decision-making process for any land management project. (Recreational/Conservation Organization, Washington, DC - #89.3.20140.A2)

622. Public Concern: The CEQ Task Force should avoid overreliance on computer modeling technology.

Ecology and Resource Management are becoming more and more dependant on computer modeling and technology. This can be very advantageous. Technology can help us keep track of a seemingly infinite amount of information and provide answers to difficult questions. We encourage the Forest Service to make use of the latest technology. However, it can also be detrimental. Ecological modeling and predictive programs are not reality. They are subject to error and the information that is produced by them is only as accurate as the information that is entered into them. Often it is wrong. Examples of this include CISC data that is often admittedly inaccurate and Spectrum modeling which is used in Forest Plan revisions and is unable to approximate for natural processes. Though technology can be used as a very valuable tool, there is no substitute for having trained personnel in the field checking the data. In recent proposals to change the Biological Evaluations and the Vegetative Management EIS procedures to survey for PETS species in the Southern Region, the reliance was on risk management based on technology rather than educated, trained personnel checking the area for PETS species. This type of reliance on technology is dangerous and can lead to disastrous errors. (Preservation/Conservation Organization, Ellijay, GA - #518.2.20200.XX)

Southern Company favors the use of information management to enhance the effectiveness and efficiency of the NEPA process. However, information management must be tailored to the specific affected resource. While information management tools can facilitate independent scientific review and analysis, these tools should not be used in a manner that replaces scientific judgment. Southern Company is familiar with situations where, through information management, components of NEPA documentation for previous projects have been adopted for use in subsequent NEPA analysis. While this is appropriate in many cases, Southern Company urges CEQ to adopt procedures to ensure that the quality of scientific review and analysis does not suffer.

At the same time, the NEPA process currently suffers from information overload-often at the expenses of useful analysis. The CEQ should recognize that more detail or more modern forms of information acquisition and transmission are no substitute for accurate analysis of the information.

Additionally, with regard to new information, the CEQ should limit the obligation to supplement previously completed NEPA documents. New technology and new methods of accessing and sharing

information will always increases the temptation to revisit old decisions and their justifications. However, Congress never contemplated that NEPA would require perfect information or perfect analysis. Moreover, the requirement to assess cumulative impacts assures that the advancing base of information available is accounted for through future NEPA review. (Utility Industry, Birmingham, AL - #584.3.20200.XX)

CEQ is placing too much emphasis on technology and information management. Our experience is that Federal agencies possess tremendous technological capabilities including Internet access, networking, integrated databases, natural resource environmental effects models, Geographic Information Systems (GIS), etc. Despite these technologies, or perhaps because of them, the NEPA process has been more cumbersome - not less. (Timber or Wood Products Industry, No Address, - #422.3.20000.XX)

623. Public Concern: The CEQ Task Force should encourage agencies to better utilize guidance documents provided by NEPANet and CEQ studies.

EPA feels that CEQ's NEPANet is an extremely valuable tool to convey information to other Federal agencies during the scoping phase for use in developing comments regarding NEPA documents prepared by other Federal agencies. An example of recent information available on NEPANet that is especially valuable and informative is CEQ's guidance on non-Federal cooperating agencies, pollution prevention, and environmental justice. However, it appears that many Federal agencies are not utilizing guidance documents provided by NEPANet. In addition, some agencies are unaware of CEQ studies that would help facilitate their Draft EIS preparation, such as those done on cumulative effects and NEPA's effectiveness after 25 years. (United States Environmental Protection Agency, No Address - #299.12.20200.A2)

624. Public Concern: The CEQ Task Force should encourage agencies to accept their own data for decisionmaking purposes.

[A4] WisDOT uses electronic information management and retrieval tools such as GIS, in-house databases, databases of other state and federal agencies, e-mail, Internet, intranet, extranet, and FTP servers for gathering data and reporting the analyses. These tools are supplemented with appropriate field studies, consultations, and public involvement. The key function of these tools is to provide and display useable data. The tools may be characterized as the "first-cut" since most data, even that from an agency charged with the protection of a resource, is not precise enough for the resource agency to provide the detailed review they desire. This is very frustrating. We would like agencies to accept their own data for decision-making rather than requiring us to do additional fieldwork. (Wisconsin Department of Transportation, Madison, WI - #214.7.20400.A4)

625. Public Concern: The CEQ Task Force should encourage agencies to provide visual representation of current and desired conditions.

Pictures [of] what it is going to look like! Visually compare current condition with desired condition. The old saying is true (1000 words). (Individual, McCall, ID - #31.1.20600.A6)

626. Public Concern: The CEQ Task Force should give the public equal access to all NEPA analysis data.

A.2. Limited digital information is probably the greatest challenge for the public. While business has the resources to create new data and technology, the public does not have that capacity. Often this lack of capacity threatens the process because there is a sense, if not evidence, that business (and sometimes government) has created more data than is available to the public. This leads to the conclusion that NEPA analysis results are fixed or predetermined. The public must have equal access to all data considered and an explanation of all data not considered and why. (Preservation/Conservation Organization, Bozeman, MT - #662.3.20200.A2)

627. Public Concern: The CEQ Task Force should encourage agencies to implement effective Environmental Management Standards.**TO CONDUCT BASELINE RESOURCE STUDIES**

The most ideal source would be comprehensive baseline resource studies/inventories, if kept up-to-date. A major problem with this type of source, however, is that agencies usually have no motivation to have them conducted. Perhaps implementation of effective EMS throughout the agencies will help to change this. This would be a major contribution to effective NEPA/EMS integration. (Business, Fairfax, VA - #520.1.20100.A1)

628. Public Concern: The CEQ Task Force should encourage all states to develop GIS inventories.**TO FACILITATE MORE EFFECTIVE ENVIRONMENTAL SYSTEM MANAGEMENT**

Oregon: Statewide Conservation Planning GIS. Oregon, along with Florida and Massachusetts, have developed comprehensive statewide GIS-based inventories of sensitive habitat, ecosystems, and other protected resource elements to facilitate more effective ongoing environmental system management, early avoidance of impacts in the planning and project development, and effective monitoring of environmental stewardship and system performance. Similar inventories should be developed for all the states and could deliver similar benefits at a modest cost. (Preservation/Conservation Organization, Washington, DC - #535.7.20100.XX)

629. Public Concern: The CEQ Task Force should balance technological data assessment with the need to make decisions in a timely manner.

We suggest that technological capabilities and data assessment and validation should be better balanced with the need to make good decisions in a timely manner.

In some cases we find that too much emphasis is placed on technological capabilities. The purpose of data collection and analysis can become forgotten in the tendency to explore the limits of a given technology. (Other, Washington, DC - #587.3.20200.A2)

Barriers to Use of Information Technology

Summary

This section includes the following topics: Barriers, Factors Considered in Assessing the Quality of Information, and Suggestions for Improving Quality.

Barriers – Respondents identify access problems, usability inconsistencies, training concerns, funding issues, and accuracy and quality of data assurance as barriers to the use of information technology.

A number of individuals identify inoperable websites and unavailable electronic information as a barrier to using information technology. “While electronic forms have many benefits,” one respondent points out, “availability of electronic documentation relies solely on the dependability of the electronic server used by the agency and on the dependability of the electronic server accessed by the end user.” Others comment on the lack of access to data stored on other servers, and some respondents mention turf barriers related to critical data and inaccessible and privileged information. Some complain that the U.S. Fish and Wildlife Service biologists have refused to release relevant data. Other respondents identify the lack of timely receipt of information and lack of access to technology in rural communities as barriers.

Some respondents comment on the usability of information technology. Some suggest that challenges can arise due to the level of user-friendliness of the technology. Others complain that there is a lack of web site uniformity. One respondent points out that web addresses often change, while other respondents mention the lack of a standard technology protocol as a barrier. Others mention GIS compatibility and data format problems along with the inability to use these specific types of tools on individual PCs.

Many respondents assert that ineffective training poses a barrier to the use of information technology. Some respondents perceive a lack of trained personnel, a lack of knowledge of available sources, and a lack of technical expertise as barriers. Others maintain that there is inadequate training on the use of available tools and on standard software, such as MS Word and Excel.

Respondents believe a limited financial capacity and limited staff resources add to the challenges of using information technology. Others add that the cost to maintain management systems and the lack of funding for local predictive models contribute to information technology barriers.

Some respondents are concerned with ensuring data quality and credibility, and others regard data as outdated and find it difficult to verify data accuracy. Other respondents have noticed that there are incorrect positioning of resources and inconsistent interpretations of research findings. A number of writers mention inconsistencies between agency data layers and website citations. A few respondents identify invalid statistical analysis and subjective analysis as additional barriers to information technology. Some also believe information is biased and that documents are false or misleading.

Additionally, respondents express concern over the volume of information sources, the separate development of data by different agencies, and the acceptance of technology by NEPA practitioners. Some also see information security and sensitivity as a barrier to using information technology. Finally, respondents also list limited comment time and politically motivated processes as barriers.

Factors Considered in Assessing the Quality of Information – Respondents suggest that the Task Force should consider quality and accuracy of data, methods and standards used in preparing data, objectivity, peer review, timelines, and other factors in assessing the quality of information used in NEPA documents. Respondents also give suggestions for improving the quality of information used in preparing NEPA documents.

Some respondents question the adequacy of data and suggest compliance with minimum quality standards. Others believe that precision, accuracy, and the source of data are important factors to consider. Some suggest that the degree of quantitative data provided be considered, while others think the extent to which the data applies to the NEPA document's planning site is relevant. Some respondents indicate that decisive factors include the types of conclusions drawn from quantitative data and the range of viewpoints the information provides. In addition, a few respondents recognize the incomplete nature of environmental information and the lack of justification for new environmental requirements as additional factors for consideration. A few respondents also mention geographic consistencies and common sense as factors considered in assessing information quality.

A number of individuals consider the source of data, the methods of data collection, and the data collection standards when assessing information quality. Some consider whether the data was

manipulated and others consider whether the information was QA/AC performed. Some respondents regard collection and analysis methods for quantitative and qualitative information as important factors in assessing the quality of information. Others cite scientific validation and validation through a monitoring program. Some respondents use tests to evaluate model adequacy.

Some respondents express concern over the use of solid numerical data versus subjective opinion, and the credentials and objectivity of the data collector. A few respondents report that peer review, references and scientifically referred journal materials are considered.

In addition, some respondents consider scale and timelines, frequency of updates, and the age of the data since it was first taken. Others look to the tracking of projects, and natural or human-caused effects to the site that would compromise the usefulness of the data. A few consider whether the information would lock up a resource from public use and how susceptible the data is to litigation.

Suggestions for Improving Quality – Respondents suggest that the Task Force should include only approved information in NEPA analysis as a way to improve information quality. These writers contend that information that is not approved “is readily accessible, manipulated and distributed until it becomes indistinguishable from approved information.” Others feel that the Task Force should create criteria for determining the appropriate levels of analysis, in light of increasing technological capabilities. A few writers advise agencies to prioritize information acquired from objective sources, with research results of professional scientists, ranked above the field observations of private landowners or other individuals who lack training and experience. A few respondents think the Task Force should require science-based information to comply with legal standards established in *Daubert v. Merrell Dow Pharmaceuticals, Inc.*, Data Quality Rule, and OMB guidelines. Some suggest that agencies should identify analysis sources in an accessible electronic format, and that the format should include page numbers and citations. In addition, a few respondents feel that agencies should electronically link references to past studies and analyses to the text of the document to allow readers the ability to verify information and conclusions. Some respondents also suggest that the Task Force should provide analysis models online for public review.

Barriers

Access

630. Public Concern: The CEQ Task Force should consider the barriers to use of information technology.

INOPERABLE WEBSITES AND UNAVAILABLE ELECTRONIC INFORMATION

While electronic forms have many benefits, availability of electronic documentation relies solely on the dependability of the electronic server used by the agency and on the dependability of the electronic server accessed by the end user (reader of the document). If either of these service providers is inoperable the electronic documentation is unavailable and therefore the user is precluded for utilizing precious time during comment periods.

For example, electronic documents provided on Department of Interior (DOI) websites were unavailable for many weeks this past summer due to a court order issued to the DOI to suspend all electronic dissemination of information. Admittedly, this circumstance is isolated in nature, however it serves as an example of the tenuous availability of electronic forms of documentation. More often lack

of availability of electronic documentation occurs because the electronic server used by the agency or by the end user is “down”. Therefore, when exploring opportunities for utilizing information technologies, particularly information in electronic form, the Task Force must address these issues to safeguard against compromising public comment periods. (Recreational Organization, Chesapeake, VA - #448.4.20200.A2)

LACK OF ACCESS TO DATA STORED ON OTHER SERVERS

[Barrier:] Acquiring access to the data stored on other servers . . . (Individual, Fort Collins, CO - #111.1.20200.A2)

INACCESSIBLE AND PRIVILEGED INFORMATION

Typically, the larger consultant firms maintain their own extensive databases that they have developed from previous projects or through publicly available means (i.e. regulatory agency databases, internet sources, academic reports, etc.). The larger firms also have the advantage of obtaining such data because of their prior participation in prominent, joint-venture-type projects, and the information in their databases may not be available to other consultants, regulatory agencies and/or the general public because it may be privileged information that is not applicable to any particular regulatory action. (Port Authority of New York and New Jersey, New York, NY - #457.2.20200.A2)

Environmental groups have significant budgets to create and maintain GIS information systems and other databases that put other members of the public at a disadvantage in preparing comments on NEPA documents. To level the playing field, agencies will either have to simplify analyses or provide the means for less well-funded groups to review and apply data using the agencies’ own models. (Timber or Wood Products Industry, Portland, OR - #454.5.20100.A2)

“TURF” BARRIERS AROUND CRITICAL DATA

[A2] Information technology is underutilized because of “turf” barriers around critical data . . . (Wisconsin Department of Transportation, Madison, WI - #214.4.20200.A2)

REFUSAL OF U.S. FISH AND WILDLIFE SERVICE BIOLOGISTS TO RELEASE RELEVANT DATA

The primary barrier I face in using information technologies in the NEPA process is refusal of USFWS biologists to release relevant data in their possession on the species in question. (NEPA Professional or Association - Private Sector, Tucson, AZ - #82.2.20200.A1)

LACK OF TIMELY RECEIPT OF INFORMATION

The barriers and challenges are not getting the information soon enough. It takes years usually. We need GIS desperately. (Federal Highway Administration, Wyoming Division, Cheyenne, WY - #83.3.20200.E2)

LACK OF ACCESS TO TECHNOLOGY IN RURAL COMMUNITIES

The main problem with using information technologies in the NEPA process is that a large number of people, especially in rural parts of the country, do not have access to or understand these technologies. These are usually the people who will be most impacted by the proposed action. These people need to receive all the information pertaining to the proposed action by mail. If the people are not notified in this way, they will never learn about the proposals until an agency person shows up at their door and tells the people that they are out of business. (Individual, Huachuca City, AZ - #372.16.20200.A2)

It should be noted that personal technological resources in New Mexico are often inadequate as compared to those in other states, particularly considering that New Mexico is one of the poorest states in the Union. CCNS recommends that any large documents that are available on the web should be accessible by section or chapter for easier downloading to accommodate citizens who may not have the most advanced technological resources. Some documents, for example, figures, exhibits and maps, should have individual pages in order to accommodate downloading. (Preservation/Conservation Organization, Santa Fe, NM - #571.2.20200.XX)

Usability

631. Public Concern: The CEQ Task Force should consider the barriers to use of information technology.

USER-FRIENDLINESS OF TECHNOLOGY

Challenges faced regarding information use include the following: . . . user-friendliness of the technology . . . (United States Environmental Protection Agency, No Address - #299.13.20200.A2)

DISSIMILAR, NON-USER FRIENDLY ADMINISTRATIVE REVIEW PROCESSES

We find it difficult to integrate timber sale NEPA information from the BLM and US Forest Service. It would be especially useful if these agencies had more similar administrative review processes. The BLM in particular has unhelpful administrative review processes that were obviously designed with ranchers and miners in mind rather than public interest appellants. These procedures should be rewritten to be more user friendly. (Preservation/Conservation Organization, Eugene, OR - #106.6.20200.A3)

LACK OF WEB SITE UNIFORMITY

One problem however with websites is lack of uniformity and their transient nature because URL's change. (Timber or Wood Products Industry, Portland, OR - #454.14.20200.A6)

CHANGES IN WEB SITE ADDRESS

One National Forest's NEPA page(s) may be located differently than another's. (Timber or Wood Products Industry, Portland, OR - #454.14.20200.A6)

LACK OF A STANDARD TECHNOLOGY PROTOCOL

The information relevant to the NEPA process is typically generated by the agency for the purpose of completing the NEPA process as part of the use planning process. Barriers to using information and information technology often arise from an agency's refusal or reluctance to disclose information and information technology. An agency such as the BLM or USFS is charged with conducting the appropriate NEPA review and using the latest or most efficient technology available. Yet, the entire process has been highly subjective and the agencies should develop a standard protocol to foster objectivity and eliminate subjectivity. (Domestic Livestock Industry, Washington, DC - #630.3.20200.A2)

PROCESS COMPLEXITY AND CONFLICT RESULTING FROM NEW TECHNOLOGIES

Since the late 1970's, when the CEQ's NEPA regulations were last comprehensively revised, the world has seen dramatic advances in information technology. The personal computer, computer-aided design, geographic information systems (GIS) mapping, and the Internet have all emerged and come into mainstream use during this period.

Many of these new technologies have been incorporated into the NEPA process. For example, it is now common to establish a "project web site" that provides opportunities for two-way communication with the public throughout the NEPA process. It also is common for NEPA documents to be distributed electronically (on CD-ROM and on the Internet as well as in print. And computer-aided design and GIS mapping are now standard tools for developing engineering drawings and environmental documents.

While these advances have brought many benefits, they also have presented new challenges for agencies preparing NEPA documents. For example, in highway projects, it is increasingly common for disputes to arise over the arcane details of the computer models used to generate forecasts of future traffic volumes. In some instances, commenting agencies or individual stakeholders go so far as to retain their own consultants to generate their own forecasts, which are then submitted as comments in the NEPA process. These developments reflect the natural evolution of the NEPA process in response to new technological changes. But they also highlight the potential for new technology to give rise to new forms of complexity and conflict in the NEPA process. Paradoxically, in the context of NEPA, new technological tools can actually end up creating new opportunities for delay, rather than expediting the process. (American Association of State Highway and Transportation Officials, Washington, DC - #591.1.20200.XX)

LACK OF INTERACTIVE MECHANISMS

[A2] The barriers or challenges I confront most is the simple fact that all the data I collect for NEPA assessments come to me via a one-way communications method. Some sort of interactive ability, whether being able to query project personnel via a website, chat room, bulletin board or any other method would be most beneficial. I need to be able to garner clarifications of existing when I am preparing analyses. (Individual, Washington, DC - #48.1.20600.A2)

LACK OF HIGH-SPEED DATA TRANSFER CAPABILITIES

Information technologies are extremely powerful resources for the NEPA process, and are useful both internally (e.g., among document preparers and reviewers) and externally (e.g., to foster public participation in the process). The primary barrier to more effective use of information technologies is the general lack of high-speed data transfer capability (e.g., "broad-band" internet access). The U.S. Department of Commerce reports that only about 55 percent to 60 percent of U.S. households have access to the internet, and only about 10 percent to 20 percent of those people have high-speed access (see *A Nation Online: How Americans Are Expanding Their Use of the Internet*, Feb. 2002, National Telecommunications and Information Administration, at <http://www.ntia.doc.gov/ntiahome/dn> and NTIA's *Falling Through the Net II: New Data on the Digital Divide*, July 1998, at <http://www.ntia.doc.gov/ntiahome/fttn99/contents.html>). This so-called "digital divide" is a major barrier to electronic distribution of EISs and related material, and to more effectively leveraging the power of information technology (e.g., the download time for EISs is excessive for those with dial-up connections). (United States Department of Energy, Washington, DC - #536.2.20200.A2)

INABILITY TO USE GIS TO ITS FULLEST CAPACITY AT THE DISTRICT LEVEL

[A3] Ability to utilize GIS to its fullest capacity at the district level. Not all districts have fulltime or even part-time GIS specialists. Most district folks are not adequately trained to do their own analysis using GIS. What good is the NRIS database if we can't access it as an analysis tool? (Individual, Plymouth, NH - #13.2.20200.A3)

COMPATIBILITY OF GIS SYSTEMS AND DATA FORMATS

A.2. Compatibility of GIS systems and data formats continues to be a challenge. Coordination among federal agencies should be mandated. (Association of Oregon Counties, Salem, OR - #456.2.20200.A2)

PROBLEMS OF SCALE WITH GIS INFORMATION

What are the barriers or challenges faced in using information technology in the NEPA process?

. . . GIS information has problems of scale. Because the utility of information in GIS is limited by the scale by which it is recorded, site specific information is hard to obtain.

Because of scale differences of the GIS maps, it is difficult to match edges of maps in EAs and Watershed Analyses for accuracy of watershed boundaries. Various maps of the same watershed at a similar scale are incompatible making overlays difficult. (Individual, Rogue River, OR - #382.6.20200.A2)

INABILITY TO USE TOOLS ON INDIVIDUAL PC'S

[Barrier:] Not being able to use the tools on individual PCs. (Individual, Fort Collins, CO - #111.1.20200.A2)

LACK OF SOFTWARE TO DOWNLOAD DOCUMENTS

I believe one barrier that may occur when using information technologies in the NEPA process is the incompatibility of some computer hardware and software packages. Incompatibility of computer-based tools can cause problems when attempting to translate information from one software program to another or from one operating system to another. A failure to ensure that the information posted is in a format/software program that is as universally accessible as possible will result in possibly having a document hopelessly jumbled (because of a loss of formatting, etc.) or worse, the loss of important data. Therefore, when information is posted for review by the public, it should be in a form that is easily downloaded to a wide variety of computers of greatly differing capabilities to handle detailed, and sometimes lengthy, NEPA documents. (Individual, Alexandria, VA - #650.3.20200.XX)

DOCUMENTS IN PDF FORMAT

What information management and retrieval tools do you use to access, query, and manipulate data when preparing analyses or reviewing analyses? What are the key functions and characteristics of these systems?

I use the printed copies, scanning the material and highlighting information that requires comments or additional research. Most of the documents available on the internet, computer is in .pdf format which is not user friendly. If documents were available in text or html, I would use the internet more. (Individual, Huachuca City, AZ - #372.19.20200.A4)

*Training***632. Public Concern: The CEQ Task Force should consider the barriers to use of information technology.****LACK OF TRAINED PERSONNEL**

Some barriers related to information technology may include the lack of equipment, lack of centralized archives, lack of trained personnel (Federal Highway Administration, Washington, DC - #658.5.20200.XX)

LACK OF KNOWLEDGE OF AVAILABLE SOURCES

Some barriers related to information technology may include the . . . lack of knowledge of the available resources (Federal Highway Administration, Washington, DC - #658.5.20200.XX)

LACK OF TECHNOLOGY EXPERTISE

Some barriers related to information technology may include the . . . lack of knowledge of technology. (Federal Highway Administration, Washington, DC - #658.5.20200.XX)

INADEQUATE TRAINING ON USE OF AVAILABLE TOOLS

[Barrier:] Inadequate training on the use of available tools (Individual, Fort Collins, CO - #111.1.20200.A2)

INADEQUATE TRAINING ON USE OF STANDARD SOFTWARE SUCH AS MSWORD AND EXCEL

We need better training in the use of the standard software that we use everyday on our own (MSWord and Excel). One day mini training sessions for those of us who really rely on these programs that we are not really taught how to use, and there is no Forest support for the program. A co-worker and I developed a comment program using Access. We tried to use the Content Analysis program, and it really didn't meet the needs at the project level. Using this program I enter every comment on a project at either for Scoping or 30-day review. The program enables me to track commenter, comments, categories of comments, disposition of comments, responders, and responses. I can sort comments by categories (e.g. alts, issues, resources, etc.). In the end, I can create a wide variety of reports, including a Response to Comment appendix. Because the commenter database is forest-wide, I can get demographic information about our commenter. I can store comments that are made routinely at the forest-level, and we can answer stock comments consistently across the Forest. We have MSPublisher as part of our software package. There has never been one training session on how to use it. Only the newest computers even have the program. Our documents have become too large for MSWord to handle efficiently. Being able to utilize a publishing program would shorten the time necessary to format a document. (Individual, Plymouth, NH - #13.4.20200.A3)

INADEQUATE NUMBER OF MIS TRAINED PEOPLE

These technologies are always changing. This makes most resource specialists very dependent on our management information systems (MIS) person(s) for assistance. There simply aren't enough of these MIS trained people around for the workload. NEPA timelines seldom factor this in. Everyone assumes they can have this person when they need him. When the person is not available for some projects folks do the best they can without him. The quality of the NEPA analysis suffers as a result, which leads to uninformed decisions. (Government Employee/Union, Grangeville, ID - #44.2.20200.A2)

Funding

633. Public Concern: The CEQ Task Force should consider the barriers to use of information technology.

LIMITED FINANCIAL AND STAFF RESOURCES

The Board's limited financial and staff resources generally prohibit the agency from directly utilizing more sophisticated information technology (IT) tools such as geographic information systems and comment management systems. For cases that require EISs or complex EAs, SEA typically relies on third-party contractors to provide these IT-related services (Surface Transportation Board, No Address, - #519.5.20200.A2)

COST TO MAINTAIN MANAGEMENT SYSTEMS

There are numerous barriers/challenges faced in using information technology (IT) in the NEPA process at Eglin AFB. First is the challenge of justifying the investment necessary to establish knowledge management systems for environmental impact analysis. Mining existing geospatial and associated attribute data is expensive and does not compete with hard-core environmental compliance requirements. In the NEPA area, the perceived requirement is to develop the appropriate NEPA documentation and work it through the interdisciplinary review and public involvement processes. That is where the limited resources are spent. Establishing a comprehensive "Living Environmental Baseline" or library of environmental information takes considerable resources. (United States Air Force, Washington, DC - #525.3.20200.A2)

LACK OF FUNDING FOR LOCAL PREDICTIVE MODELS

Some Forests have developed local predictive models that aid document analysis and also lend credibility to our work. There is never any funding for this sort of local tool. What models out there are often unavailable to us. (Individual, Plymouth, NH - #13.8.20200.A3)

Quality/Accuracy of Data

634. Public Concern: The CEQ Task Force should consider the barriers to use of information technology.

ENSURING DATA QUALITY AND CREDIBILITY

Challenges include data quality assurance of resources. Next comes the challenge of determining what data is scientifically sound and credible. (United States Air Force, Washington, DC - #525.3.20200.A2)

DIFFICULTY OF VERIFYING ACCURACY OF DATA

[Barrier:] Verifying the accuracy of the data . . . (Individual, Fort Collins, CO - #111.1.20200.A2)

OUTDATED INFORMATION

[Barrier:] Outdated information is seldom modernized, and there seems to be little desire to reformat older data. As such, data may not be compatible among agencies, considering either standards or technology. (Bob Cope, Commissioner, Lemhi County Board of Commissioners, Salmon, ID - #70.2.20200.A2)

INCORRECT IDENTIFICATION OR POSITIONING OF RESOURCES

[A2] The majority of resources are not adequately nor even correctly identified or positioned. This requires "ground truthing" of the resources to verify their conditions. Models dependent on assumptions are second-guessed as well as the assumptions they are based on. (Wisconsin Department of Transportation, Madison, WI - #214.4.20200.A2)

INCONSISTENT INTERPRETATION OF RESEARCH FINDINGS

[A2] Consistent interpretation of research findings done in other areas. Forests should do a better job of providing interpretation of research used in NEPA that has been done elsewhere. Inconsistencies or inappropriate research get us into trouble. (Individual, McCall, ID - #28.1.20200.A2)

INCONSISTENCY BETWEEN AGENCY DATA LAYERS

A.3. American Wildlands created a GIS-based course scale model that evaluates the biological integrity of watersheds at the 6th level hydrologic unit (huc). The analysis is complete for the Upper Missouri watershed and when complete will also include the Upper Columbia, Upper Yellowstone, and Upper Green watersheds. This information is available to interested parties. The greatest problem creating this model, and all NEPA related data, is the inconsistencies between different agencies and states data and data layers. One agency or state may maintain certain data that another agency or state does not. And the data may be maintained at a different scale or different mode/medium/software. These inconsistencies greatly affect the public's ability to assess data and information across political boundaries. If data is available to the public it may be expensive or limited quality or quantity, and the public still may not have all data necessary to understand and evaluate an action. (Preservation/Conservation Organization, Bozeman, MT - #662.5.20300.A3)

INADEQUATE WEBSITE CITATIONS

The challenge of using valid, reliable, high quality information in environmental assessments is tremendous. Proper citation of all websites, including the date accessed, should be included. Research has shown that as high as half of all "information" cited from web sources is no longer available six months later. (Individual, Moscow, ID - #5.2.20200.A2)

VARIABILITY IN SAMPLING METHODS

[Barrier:] Sampling methods may vary . . . (Bob Cope, Commissioner, Lemhi County Board of Commissioners, Salmon, ID - #70.2.20200.A2)

INVALID STATISTICAL ANALYSIS

[Barrier:] Statistical analysis may be invalid. . . (Bob Cope, Commissioner, Lemhi County Board of Commissioners, Salmon, ID - #70.2.20200.A2)

SUBJECTIVE ANALYSIS

[Barrier:] Subjective analysis reflecting personal frames of reference may skew inferences drawn from similar data sets. (Bob Cope, Commissioner, Lemhi County Board of Commissioners, Salmon, ID - #70.2.20200.A2)

CITING OF DATA THAT STAKEHOLDERS HAVE ALREADY CORRECTED ON REVIOUS EA'S

A problem that is repeatedly seen is the citing of data that stakeholders have corrected on previous EAs, leading to the conclusion that preparers are relying on uncorrected drafts as sources. A recurring example is the inclusion of maps with an incorrect Oak Ridge Reservation boundary. (Civic Group, Oak Ridge, TN - #88.5.20210.A1)

BIAS OF INFORMATION

Getting unbiased scientific evidence (Individual, Prescott Valley, AZ - #315.2.20200.A2)

FALSE OR MISLEADING DOCUMENTS

Question: A2 Response: In some instances, the federal agency documents have been false and/or intentionally misleading. Specifically those dealing with endangered species issues. (John Griffith, Commissioner, Coos County Board of Commissioners, Coquille, OR - #67.1.20210.A2)

Other

635. Public Concern: The CEQ Task Force should consider the barriers to use of information technology.

TOO MANY SOURCES OF INFORMATION

The problem is that individuals cannot depend on any one source for all the information. Most of the people who will be most impacted by the proposed actions have to work for a living and do not have the time or capabilities to make regular checks of all the possible sources to see if there is some action being proposed that could put them out of business. The agencies notification processes are neither adequate nor uniform, and it is virtually impossible to find out about all of the pending actions that could have an impact on any certain area. (Individual, Huachuca City, AZ - #372.15.20200.A1)

SEPARATELY DEVELOPED DATA IN SOME AGENCIES

Significant gaps across the country result from separately developed data in some agencies. The following represent a few high-priority data themes that need more effort towards eliminating these gaps in nationwide coverage:

- National Wetlands Inventory
- Threatened and Endangered Species Locations/Status
- NRCS County Soils datasets (should be consolidated with USFS soils data into one nationwide set). (United States Environmental Protection Agency, No Address - #299.13.20200.A2)

ACCEPTANCE OF TECHNOLOGY BY NEPA PRACTITIONERS

Challenges faced regarding information use include the following: acceptance of the technology by NEPA practitioners (United States Environmental Protection Agency, No Address - #299.13.20200.A2)

CONTRACTING MECHANISMS BIASED TOWARD DUPLICATION OF DATA

Some barriers related to information technology may include . . . contracting mechanisms and specifications may be biased toward duplication of data rather than updating previous, public domain, work products, possibly due to the contractor's ability to charge for their work. In addition, few protocols exist for archiving data and analyses compiled as part of NEPA studies for later use by either the sponsoring agency or other parties. (Federal Highway Administration, Washington, DC - #658.5.20200.XX)

INFORMATION SECURITY/SENSITIVITY

Challenges faced regarding information use include the following: . . . information security/sensitivity. Determining the quality of such data and whether to use it in NEPA analyses can also create additional barriers. Some information must come from the applicant and may not be able to be verified using other means (e.g., GIS coverages, public comments). (United States Environmental Protection Agency, No Address - #299.13.20200.A2)

LIMITED COMMENT TIME

A (2): United has experienced the following challenges in using information technologies in the NEPA process, particular with electronic forms of documentation. (i) The Bureau of Land Management (BLM) and the U.S. Forest Service (USFS) have issued NEPA documents in the past in which they began the comment period from the date the documentation is available electronically can cut 3 or more days off of the available time to comment for people who must wait for printed documents. In cases where the comment period is only 30 or 60 days losing 3 or more days is a significant loss of time.

For example, on December 8, 2000 the BLM issued its Notice of Availability and Comment Period for the Public Review of the Draft BLM National OFF-Highway Vehicle (OHV) Management Strategy. The Notice indicated that a "public review copy will be available by December 4, 2000 at BLM's website" and therefore public comments would be accepted through the close of business, January 3, 2001 (thirty days from the date of availability of the electronic documentation). In an associated press release from

the BLM dated 12/04/00, the BLM also announced availability of the electronic documentation and stated, "Paper copies of the document will be available from the Bureau's State Offices and its Washington D.C. Office by December 8, 2000. Despite written acknowledgement by the BLM that printed copies of the documentation would not be available until 12/08/00, the public comment period was based on availability of the electronic forms thus shortening the 30-day comment period by 4 days for members of the public that had to rely on printed documentation. (Recreational Organization, Chesapeake, VA - #448.2.20200.A2)

LACK OF HUMAN SENSITIVITY AND INSIGHT

Inherent fallibility of "turn-the-crank" production of NEPA analyses. IT systems lack the sensitivity and insight capabilities of humans. (Business, Fairfax, VA - #520.2.20200.A2)

POLITICALLY MOTIVATED PROCESSES

Politics, sweetheart deals, and political favoritism. This entire process is of a political motivated birth. Politically motivated because Industry has influenced government to make favorable changes to the NEPA laws. (Individual, Miami, FL - #239.1.20200.A2)

Factors Considered in Assessing the Quality of Information

Quality/Accuracy of Analysis

636. Public Concern: The CEQ Task Force should consider what factors are considered in assessing the quality of the information.

ADEQUACY OF DOCUMENTATION

The following factors should be considered in assessing and validating the quality of information: . . . adequate documentation (United States Environmental Protection Agency, No Address - #299.15.20210.A2)

COMPLIANCE WITH MINIMUM QUALITY STANDARDS

With respect to factors to consider in assessing and validating the quality of information in data and background studies for preparing National Environmental Policy Act (NEPA) analyses, the largest concern should be on ensuring a minimum standard of quality of data/scientific information for all NEPA documents. One of the basic problems is the lack of evenness among the studies used to support the findings, including biases, outdated information, or misuse of data to support incorrect conclusions. It would be helpful, for instance, to have a centralized database of studies, including the most up-to-date information available and other Environmental Impact Statements (I/IS) or Environmental Assessments (CEA) that have been completed on particular projects. (National Oceanic and Atmosphere Administration, Washington, DC - #637.54.20200.A2)

PRECISION, ACCURACY AND SOURCE OF DATA

The greatest evaluation for data should be 1) its precision, 2) its accuracy, and 3) its source. (Preservation/Conservation Organization, Bozeman, MT - #662.4.20210.A2)

DEGREE OF QUANTITATIVE DATA PROVIDED

Another challenge is the degree to which we should provide quantitative data and how that data should be quantified and described when the relationship between the data and potential effects on the human environment is not clear. Examples include toxic components of fuel combustion and low frequency aircraft noise. Further guidance on applying 40 CFR 1502.22, Incomplete or unavailable information, could be helpful in this regard. (Federal Aviation Administration, No Address, - #534.4.20200.A2)

EXTENT TO WHICH THE DATA APPLIES TO THE NEPA DOCUMENT'S PLANNING SITE

When assessing and validating the quality of information used during the NEPA process, we believe the following factors should be considered: Extent to which the data applies to the NEPA document's planning site—often we see data for Project A being massaged and used during the preparation of

Project B that, in many instances, is geographically removed from project A's study area. (Recreational/Conservation Organization, Washington, DC - #89.4.20210.A2)

TYPE OF CONCLUSIONS DRAWN FROM QUANTITATIVE DATA

When assessing and validating the quality of information used during the NEPA process, we believe the following factors should be considered: Type of conclusions drawn from quantitative data—reports of biological research should identify clearly on which assumptions the study was based and what the limitations were of the data. (Recreational/Conservation Organization, Washington, DC - #89.4.20210.A2)

RANGE OF VIEWPOINTS THE INFORMATION PROVIDES

When assessing and validating the quality of information used during the NEPA process, we believe the following factors should be considered: Range of viewpoints the information provides—any NEPA evaluation should avoid predisposition to a particular outcome or resolution. For this reason, federal agencies should use a breadth of information that reflects a broad perspective on the potential impacts and alternatives of the analysis. (Recreational/Conservation Organization, Washington, DC - #89.4.20210.A2)

INCOMPLETE NATURE OF ENVIRONMENTAL INFORMATION

The task force should address the inherently incomplete nature of environmental information and how the NEPA process accounts for it. Evolving science, new discoveries, and changed circumstances due to natural and human events do not allow for complete and certain information. Yet, the NEPA process calls for quality information to be documented and distributed prior to making a decision. When information and circumstances change, the NEPA process and documentation continues. In our experience, this causes much delay, additional paperwork and adds little value to managing the National Forest ecosystems. (United States Department of Agriculture, Washington, DC - #110.2.20210.XX)

LACK OF JUSTIFICATION FOR NEW ENVIRONMENTAL REQUIREMENTS

It is important to note that many of the federally required analyses contain information that cannot be characterized as scientifically sound. We have often found a lack of justification for new environmental requirements contained in these documents. In fact, it would seem that many decisions are based upon the personal views of resource specialists or their supervisory administrators. It is imperative for the Federal agencies to utilize and cite specific, scientifically validated data to justify all new decisions, e.g., restrictions and designation of new land use classifications.

We recommend that all scientific data used be limited to that which has been peer reviewed to ensure its accuracy and objectivity. Moreover, the applicability of the data to the area involved in planning or other NEPA analyses must be clearly demonstrated. There have been many instances where studies from another part of the country are used to make decision even though conditions are not the same as those addressed in the studies. (Oil, Natural Gas, or Coal Industry, Denver, CO - #545.3.20210.XX)

GEOGRAPHIC CONSISTENCY

The following factors should be considered in assessing and validating the quality of information: . . . geographic consistency (United States Environmental Protection Agency, No Address - #299.15.20210.A2)

COMMON SENSE

The factors which should be considered in assessing and validating the quality of the information are: . . . does the information stand up to common sense. (Individual, Grants Pass, OR - #367.1.20210.A2)

Methods/Standards

637. Public Concern: The CEQ Task Force should consider what factors are considered in assessing the quality of the information.

SOURCE OF DATA

The following factors should be considered in assessing and validating the quality of information: . . . source of data (public agency, private facility, citizens groups) . . . (United States Environmental Protection Agency, No Address - #299.15.20210.A2)

METHODS OF DATA COLLECTION

The following factors should be considered in assessing and validating the quality of information: . . . methods of data collection . . . (United States Environmental Protection Agency, No Address - #299.15.20210.A2)

MAPPING AND DATA COLLECTION STANDARDS

Sound mapping and data collection standards are essential. Specific science should be considered preferable to generalities. Finally, it is important to bear in mind that most biological opinions are exactly that—opinions! (Bob Cope, Commissioner, Lemhi County Board of Commissioners, Salmon, ID - #70.3.20210.A2)

WHETHER THE DATA WAS MANIPULATED

The following factors should be considered in assessing and validating the quality of information: . . . data manipulated? (United States Environmental Protection Agency, No Address - #299.15.20210.A2)

WHETHER IT WAS QA/AC PERFORMED

The following factors should be considered in assessing and validating the quality of information: . . . QA/AC performed? . . . (United States Environmental Protection Agency, No Address - #299.15.20210.A2)

COLLECTION AND ANALYSIS METHODS FOR QUANTITATIVE AND QUALITATIVE INFORMATION

When assessing and validating the quality of information used during the NEPA process, we believe the following factors should be considered:

How the quantitative and qualitative information was collected and analyzed—all information should be objective and comprehensive. Balanced representation among the issue's environmental, sociological/cultural, political and economic components should be sought for every land management decision. (Recreational/Conservation Organization, Washington, DC - #89.4.20210.A2)

ACCESSIBILITY OF EVALUATION MEASURES

All data has to be evaluated by measures available to the reviewer. (Individual, Katy, TX - #183.1.20210.A2)

QUALITY INDICATORS OF MEASURED DATA

Much measured data needs quality indicators. (Individual, Katy, TX - #183.1.20210.A2)

SCIENTIFIC VALIDATION

What factors should be considered in assessing and validating the quality of information?

- (1) Is the science independently validated?
- (2) Was the methodology used to collect the information explained and scientifically sound?
- (3) Is the information presented consistent with findings elsewhere? (Individual, Rogue River, OR - #382.7.20210.A2)

VALIDATION THROUGH A MONITORING PROGRAM

What factors should be considered in assessing and validating the quality of information? Has a monitoring program been established to validate conclusions? (Individual, Rogue River, OR - #382.7.20210.A2)

TESTS TO EVALUATE MODEL ADEQUACY

It is a straightforward matter to test and evaluate these models for their adequacy, but most NEPA analyses make use of regional travel models that have not been evaluated for their adequacy in reflecting induced traffic.

A recent analysis by the Metropolitan Washington Transportation Planning Board showed that by deferring 100 lane miles of highway expansion projects in 2002 - a 0.5percent reduction in lane-miles of road capacity - Virginia saves \$800 million in capital costs while cutting NOX emissions by more than 1percent, or nearly 2 tons per day, and reducing vehicle miles of traffic by 0.6percent. This illustrates how the very expensive expansion of new highways typically produces a growth in air pollution emissions by spurring more traffic, rather than a reduction in emissions as often claimed by the road lobby. It illustrates how reducing expenditures on new roads is often the most cost-effective emission reduction strategy, because it avoids generating both costs and air pollution. Some areas, like Oregon, some regions of California, and various regions in Europe, are moving towards adoption of best practice methods to evaluate induced traffic and land use effects of transportation investments in regional and statewide planning, as discussed below. Attached PowerPoint presentations by Dr. Robert Johnson of University of California Davis and Dr. Michael Wegener of the University of Dortmund, provide further information about some of these methods. Transportation agencies should be required by DOT and EPA to promptly upgrade their computer models to effectively consider air quality, induced traffic, and fully-up-to-date planning factors for NEPA analysis, air quality planning, and transportation conformity analysis. EPA and DOT should promptly issue long-promised additional model guidance and regulations to assure that non-attainment areas properly account for induce land use and traffic effects in conformity analysis and SIP transportation modeling. EPA and DOT should establish best-practice planning model standards and to require timely action by MPOs and other agencies to meet these standards for conformity and SIP planning. A recent report (U.S. General Accounting Office, Environmental Protection: Federal Incentives Could Help Promote Land Use That Protects Air and Water Quality, Washington, DC, October 2001, GAO-02-12, page 95) notes that, "DOT and EPA efforts to improve travel-demand-forecasting models may help MPOs and communities determine the effects of transportation improvements on congestion and air quality. However...these efforts currently do not call for integrating land use or environmental components into the travel demand model...Without such integrated models, communities cannot consider the likely effects that their transportation decisions will have on land use, future growth and development, and air quality." U.S. GAO-02-12, op. cite, page 95. (Preservation/Conservation Organization, Washington, DC - #535.21 and 22.20210.XX)

Objectivity

638. Public Concern: The CEQ Task Force should consider what factors are considered in assessing the quality of the information.

USE OF SOLID NUMERICAL DATA VERSUS SUBJECTIVE OPINION

We believe that it is essential to use solid numerical data rather than subjective opinion. Logical, deductive reasoning should be used, reflecting background data with emphasis on numbers and sources. (Bob Cope, Commissioner, Lemhi County Board of Commissioners, Salmon, ID - #70.3.20210.A2)

CREDENTIALS AND OBJECTIVITY OF THE DATA COLLECTOR

What factors should be considered in assessing and validating the quality of the information? By "information" I assume you are meaning mapping, existing condition resource inventories, and monitoring data. In validating the quality of the data I examine the following: who took the data: their resource values, their experience and educational background, and most importantly, their interest in obtaining accurate data. (Government Employee/Union, Grangeville, ID - #44.3.20210.A2)

Peer Review/References

639. Public Concern: The CEQ Task Force should consider what factors are considered in assessing the quality of the information.

PEER REVIEW

In assessing and validating the quality of the information, peer review should be weighted heavily. (NEPA Professional or Association - Private Sector, Tucson, AZ - #82.3.20210.A1)

Validity of all data is suspect when data is developed by scientists etc from within the proponent government agency. There have been numerous examples of late (and no doubt far more that have not been uncovered) which have proven that, for example, the USFS or the USFW, have not followed scientific protocol, have fabricated data and deliberately manipulated outcomes. The reality is that agenda-driven science has displaced objective scientific investigations in virtually all “environmental” projects. The only way to assess and validate the quality of the information is through peer review. Objective evaluations by scientists who are not ideologically tainted need to be undertaken. Much as the ESA scientific guidelines have been rewritten in an effort to avoid scandalous “political” science, NEPA documentation too must be able to stand scrutiny by those not ideologically aligned with the authors. As it stands, the entire NEPA process has been highjacked by an activist agenda and has morphed into a weapon to bludgeon those who do not share that ideology. In fact, from a scientific point of view, the entire NEPA process is a joke: bad science poorly presented. Often the authors are not specialists in the fields about which they write. They know from their managers, which way the analysis should tilt; they want to “get along” or maybe even get promoted. Their science is unreliable and must be reviewed by outsiders. The NEPA process will never attain any scientific credibility without a scrupulous, non-political review process. (Individual, Columbia Falls, MT - #102.1.20210.A2)

REFERENCES

Having the EIS available online would help, but the references would be necessary too. (Individual, Katy, TX - #183.1.20210.A2)

USE OF SCIENTIFICALLY REFERRED JOURNAL MATERIALS

The challenge of using valid, reliable, high quality information in environmental assessments is tremendous. The documents should use scientifically referred journal material as much as possible—and increasingly more of these materials are available via electronic journal formats. (Individual, Moscow, ID - #5.2.20200.A2)

Timeliness

640. Public Concern: The CEQ Task Force should consider what factors are considered in assessing the quality of the information.

SCALE AND TIMELINESS

The following factors should be considered in assessing and validating the quality of information: scale, timeliness (United States Environmental Protection Agency, No Address - #299.15.20210.A2)

FREQUENCY OF UPDATES

The following factors should be considered in assessing and validating the quality of information: . . . frequency of updates (United States Environmental Protection Agency, No Address - #299.15.20210.A2)

THE AGE OF THE DATA AND WHETHER IT HAS BEEN UPDATED SINCE FIRST TAKEN

What factors should be considered in assessing and validating the quality of the information? By “information” I assume you are meaning mapping, existing condition resource inventories, and monitoring data. In validating the quality of the data I examine the following: the age of the data and

whether it had been updated since first taken . . . (Government Employee/Union, Grangeville, ID - #44.3.20210.A2)

Other

641. Public Concern: The CEQ Task Force should consider what factors are considered in assessing the quality of the information.

TRACKING OF PROJECTS

The following factors should be considered in assessing and validating the quality of information: . . . tracking of projects . . . (United States Environmental Protection Agency, No Address - #299.15.20210.A2)

NATURAL OR HUMAN CAUSED EFFECTS TO THE SITE WHICH WOULD COMPROMISE THE USEFULNESS OF THE DATA

What factors should be considered in assessing and validating the quality of the information? By “information” I assume you are meaning mapping, existing condition resource inventories, and monitoring data. In validating the quality of the data I examine the following: whether there were any natural or manmade impacts (wildfire or timber sale etc.) to the site, which would render the data less relevant and sometimes useless . . . (Government Employee/Union, Grangeville, ID - #44.3.20210.A2)

WHETHER THE INFORMATION WOULD LOCK UP A RESOURCE FROM PUBLIC USE

The factors which should be considered in assessing and validating the quality of the information are: whether the information would effectively lock up a resource from public use and why . . . (Individual, Grants Pass, OR - #367.1.20210.A2)

SUSCEPTIBILITY TO LITIGATION

We agree with National Cattlemen’s Association that some factors should be considered in assessing and validating the quality of information, such as: history of use, type of use (such as grazing), duration of use, the origin of the information (agency vs. permittee), geographical area, and baseline data.

In today’s litigious environmental context, the true test in assessing and validating the quality of information is whether the information will withstand a court challenge. In the West where environmentalists and opponents of grazing challenge nearly every agency decision concerning NEPA processes, the information and decision of the agency must withstand the challenge. Therefore, it is important that the technical information be precise, accurate and reliable. Oregon Cattlemen have found in the past that the quality of the agency database is often a factor that causes decisions to go against the agencies. Quantity should not be favored over quality and the quality can only be established through good data analysis that is properly examined using statistical methods.

Perhaps the best guidance for determining the validity of information can be found from the court system. The Supreme Court in *Daubert v. Merrell Dow Pharm., Inc.*, 509 U.S. 579 (1993), suggested five criteria for determining scientific validity, and hence reliability, including 1) whether the information is derived by the scientific method, 2) whether the information has been subjected to peer review or publication, 3) whether the relevant scientific community “generally accepts” the information, 4) consideration of the actual or potential rate of error of the scientific technique, and 5) whether standards for controlling the technique’s operation exist. *Id.* At 593-95. By establishing these five criteria as the parameters for assessing and validating the quality of information, agencies will undoubtedly withstand most legal challenges. (Domestic Livestock Industry, La Grande, OR - #496.3.20210.A2)

Suggestions for Improving Quality

642. Public Concern: The CEQ Task Force should include only approved information in NEPA analyses.

Today, information is readily accessible, manipulated and distributed until it becomes indistinguishable from approved information. The information is frequently either used in the analysis or used to counter the information in the analysis. The challenge is distinguish “accepted” information from “proposed” information. Only approved information should be used in the analysis or accepted to modify the analysis. Other information, upon disclosure of the degree of acceptance, may be used to acknowledge the uncertainty, but not to base a decision upon. (Placed-Based Group, Sacramento, CA - #522.2.20200.A2)

643. Public Concern: The CEQ Task Force should create criteria for determining the appropriate levels of analysis.

IN LIGHT OF INCREASING TECHNOLOGICAL CAPABILITIES

At times it seems that technological capabilities take on a life of their own in that the essence of data collection and analyses is lost in the tendency to explore the limits to a given technological tool. This can result in an ever increasing, perceived need for additional data and the associated analyses.

A quality related factor, which seems seldom considered, is whether or not the additional information is truly pertinent in addressing a particular concern.

The department suggests that the criterion for data adequacy should be whether or not the body of knowledge is such that a reasonable, informed decision can be made. (Utah Department of Natural Resources, Salt Lake City, UT - #565.4.20200.A2)

It is often difficult to manage public expectations of the NEPA process. One challenge is the increasing demand for more information and analyses because we have the technical ability to produce it. This gets into issues of where to draw analytical boundaries to avoid extensive multiple analyses over wide geographic areas. More information and analyses add to the size of environmental documents without necessarily adding commensurate value in terms of identifying significant effects. (Federal Aviation Administration, No Address, - #534.3.20200.A2)

When assessing and validating the quality and quantity of information needed for NEPA analyses, land managers must consider the degree to which additional information would help address a particular concern or decision. In addition, the extra data collected may only complicate and add confusion to the process. (Other, Washington, DC - #587.4.20210.A2)

644. Public Concern: The CEQ Task Force should advise agencies to prioritize information acquired from objective sources.

WITH RESEARCH RESULTS OF PROFESSIONAL SCIENTISTS RANKED ABOVE THE FIELD OBSERVATIONS OF PRIVATE LANDOWNERS OR OTHER INDIVIDUALS WHO LACK TRAINING AND EXPERIENCE

When assessing and validating the quality of information used during the NEPA process, we believe the following factors should be considered: Who collected the information—when reviewing biological data, the research results of professional scientists should be ranked above the field observations of private landowners or other individuals who lack research training and experience. Decisions-makers should prioritize information that is acquired from objective sources. (Recreational/Conservation Organization, Washington, DC - #89.4.20210.A2)

645. Public Concern: The CEQ Task Force should require science-based information to comply with legal standards.**DAUBERT V. MERRELL DOW PHARMACEUTICALS, INC., DATA QUALITY RULE, AND OMB GUIDELINES**

Any science-based information must not be junk science and must meet the standard for reliability established by the Supreme Court in *Daubert v. Merrell Dow Pharmaceuticals, Inc.* 509 U.S. 579 (1993).

The Task Force would be well advised to look at the Data Quality Rule (515 of the Treasury and General Government Appropriations Act for Fiscal Year 1991) and the Office of Management and Budget (OMB) final guidelines this past January (67 FR 369 January 3, 2002). This rule is an attempt to address the data quality issue and the Task Force should avoid duplication. (Timber or Wood Products Industry, Portland, OR - #454.9.20210.A2)

646. Public Concern: The CEQ Task Force should require agencies to identify analysis sources in an accessible electronic format.

Environmental analyses often are based on information that is not readily available to the public and on information that is outdated or not the best available science. Very often, upon receiving a draft NEPA document, we must carefully comb through the document and identify studies and other primary information sources that only are contained within the administrative record, and then request these studies or data from the responsible agency. It would be more helpful for agencies to identify the information on which they base their analyses at the incipient stages of the NEPA process, and to make it available electronically (e.g., via the world wide web), so that interested parties can help identify information gaps as soon as possible. This would likely improve agency efficiency and help reduce the risk of lengthy revisions and/or administrative or legal challenges because important information was not considered. (Placed-Based Group, Arcata, CA - #632.4.20200.A2)

SHOULD INCLUDE PAGE NUMBERS AND CITATIONS IN ELECTRONIC NEPA DOCUMENTS

Electronic documents, particularly when provided in a .PDF format or in html format, often times lack page numbers in which to cite to. In contrast, printed documents generated by an agency are universal in format and length and can easily be cited to. Inability to accurately cite to an environmental analysis is inconvenient at best and imprecise and confusing at worst. The effectiveness of comments on NEPA analyses are compromised when citations are lacking or when references to the document are confusing for the team that analyzes comments. NEPA procedures, such as requirements to study all feasible alternatives, can be compromised when the comment analysis team cannot easily understand the references made to the NEPA documentation being commented upon. Therefore, when exploring opportunities for utilizing information technologies, particularly information in electronic form, attention must be paid to ensure that a system of page numbering is used consistently. An good example of consistent page numbering for electronic format is the method used by the Government Printing page numbering for electronic format is the method used by the Government Printing Office in their electronic format is the method used by the Government Printing Office in their electronic versions of Federal Register Notices where F.R. page numbers are listed in brackets at appropriate locations throughout the electronic forms. (Recreational Organization, Chesapeake, VA - #448.3.20200.A2)

647. Public Concern: The CEQ Task Force should encourage agencies to electronically link references to past studies and analyses to the text of the document.**TO ALLOW READERS TO VERIFY INFORMATION AND CONCLUSIONS**

NEPA documents often contain references to past studies and analyses, appendices containing technical analyses, and illustrative exhibits such as maps, figures, GIS information, and other graphic materials. As a result, NEPA documents often fail to provide readers with the ability to review cited materials to determine if conclusions and findings can be verified.

Digital NEPA documents provide an opportunity to link such cited references to the text of the document, enabling the reader to review the references, technical studies, and exhibits on which

conclusions are based. This would be especially beneficial for NEPA documents that directly reference previously prepared documents that discuss a series of actions in a programmatic manner.

CEQ has an opportunity to provide guidance on the linking of reference materials to NEPA documents. This could enable the public and other agencies to obtain supporting information on which conclusions and decision-making are based. (NEPA Professional or Association - Private Sector, Sacramento, CA - #533.4.20500.XX)

648. Public Concern: The CEQ Task Force should provide analysis models online for public review.

We have few tools to review analyses prepared by the Forest Service and BLM. For example, we do not have access to the Equivalent Roadway Area model, the WATSED model, the WATBAL model, or the HABCAP model used to analyze watershed or wildlife effects. It might be helpful to make those models available on the Internet to allow the public to review the analyses performed by the agencies. (Timber or Wood Products Industry, Portland, OR - #454.11.20200.A4)

Internal Databases/Other Sources of Environmental Information

Summary

This section includes the following topics: Internal Databases, and Protocols and Standardization in the Development or Maintenance of Databases.

Internal Databases – Respondents mention many specific internal databases and sources of environmental information for environmental analyses. “Federal agencies responsible for NEPA,” asserts one respondent, “should be making efforts to collect data from Environmental Impact Statements for future use.” Some respondents suggest the use of both standing and project-specific databases. Others mention the use of third-party project specific databases. Some use wetlands and archeological resources databases, water quality information databases, and historical air traffic count databases. Some respondents cite public involvement databases and FAA Environmental Network websites as sources of environmental information. A few respondents use noise and air quality models, FAA Eastern Region environmental information for airports, and trend data. In addition, respondents cite GIS and GISST, historical information on timber sale targets and local economic conditions. Some use the Environmental Procedures manual and environmental and transportation documentation.

Protocols and Standardization in the Development or Maintenance of Databases –

According to one individual, “There appears to be no uniformity within a federal agency, much less between them, regarding data standards, data organization, format, etc.” As a result, many respondents suggest that federal agencies should standardize data collection and storage formats and create more readily available NEPA project databases for the public. Some believe that this would provide public access and protection from faulty data. Several writers assert that agencies should share data for a standardized database to streamline study and data collection processes. A few respondents suggest that the Task Force should create standards for submitting NEPA information into this shared database and provide access to more databases. Others feel that the Task Force should encourage agencies to maintain databases available to non-agency personnel.

Some writers, however, express caution regarding attempts to standardize databases. Some suggest that the Task Force should consider the difficulties of standardizing data and information. Others suggest that the Task Force should consider the extensive resources required

for keeping databases consolidated and updated because of constant technological and scientific changes.

A few respondents suggest that the Task Force should provide a history of database updates to inform users of revisions. Others believe the Task Force should create a database of approved information to use in preparing NEPA documents. According to one respondent, “A database of approved information . . . would save time in collecting accepted data and would provide consistency among projects.” Some advise the Task Force to expand the use of GIS and other decision support tools to create agency consistency and lessen resource needs. A few respondents suggest that the Task Force should consider the databases that are currently maintained, such as The Living Environmental Baseline, when developing or maintaining databases.

In addition, respondents suggest that the Task Force should support greater federal funding for baseline data on water resources, funding for data on watershed yield, river flow, and groundwater level fluctuation, and funding for the federal gauging network throughout the entire country.

Finally, some respondents feel that the Task Force should encourage development of a publicly accessible federal database of brownfields.

Internal Databases

649. Public Concern: The CEQ Task Force should encourage agencies to maintain databases of information collected for environmental documents.

Federal Agencies responsible for NEPA should be making efforts to collect data from Environmental Impact Statements for future use. For example, the Port Authority applied for a U.S. Army Corps of Engineers’ permit to create an underwater confined disposal facility for dredged material. The EIS that was prepared contained the results of many geotechnical borings and environmental toxicity tests. The facility was never built, but the information should be placed in a database for future use. Many Corps districts maintain Geographic Information Systems that would accept this data easily. Although not currently used extensively, GIS data has shown much promise. Reliability of data remains a concern prompting the need for either quality control or access to “notes” regarding assemblage of data. (Port Authority of New York and New Jersey, New York, NY - #457.3.20510.A5)

650. Public Concern: The CEQ Task Force should consider what internal databases are used.

BOTH STANDING AND PROJECT-SPECIFIC DATABASES

Do you maintain databases and other sources of environmental information for environmental analyses? In cases, of the Salmon-Challis National Forest, the simple answer is yes. Are these information sources standing or project specific? Both. (Bob Cope, Commissioner, Lemhi County Board of Commissioners, Salmon, ID - #70.4.20300.A3)

[A3] Yes, we maintain such databases. They are both project specific and standing. We have no advice to offer regarding development and maintenance of similar federal systems. (Preservation/Conservation Organization, Vancouver, WA - #103.4.20300.A3)

We do maintain some databases and are both statewide and project specific. (Federal Highway Administration, Wyoming Division, Cheyenne, WY - #83.4.20300.E2)

BOTH STANDING AND PROJECT-SPECIFIC DATABASES FOR EVERY THREATENED AND ENDANGERED SPECIES

Our office maintains databases for every T and E species we work with. We have both standing and project specific files. Data collection usually begins project specific and expands to a standing database due to additional projects related to the same species. (NEPA Professional or Association - Private Sector, Tucson, AZ - #82.4.20300.A1)

PROJECT-SPECIFIC DATABASES OF PROJECTS OF INTEREST

We maintain a project-specific database of NEPA projects that we are interested in tracking. (Preservation/Conservation Organization, Eugene, OR - #106.5.20300.A3)

THIRD-PARTY PROJECT SPECIFIC DATABASES

SEA does not maintain general or project-specific environmental databases. As dictated by the needs of a particular case, SEA may request third-party contractors to maintain project-specific databases. These requests are typically limited to complex rail line construction or rail carrier merger cases with large records, where such databases facilitate the environmental analysis and ability to respond to comments. (Surface Transportation Board, No Address - #519.7.20300.A3)

WETLANDS AND ARCHEOLOGICAL RESOURCES DATABASES

[A3] WisDOT maintains a wetlands database and another for archeological resources. We also have access to other databases. (Wisconsin Department of Transportation, Madison, WI - #214.6.20300.A3)

WATER QUALITY INFORMATION DATABASES

Oregon Cattlemen have an extensive database of water quality information collected throughout Oregon and Washington. We use Oregon and Washington protocols for water quality sampling but use the Standard Scientific Methods for the data collection. We started the database 7 years ago and have found that the sampling design is the most important step in maintaining a database. (Domestic Livestock Industry, La Grande, OR - #496.8.20300.A3)

HISTORICAL AIR TRAFFIC COUNT DATABASES

Databases on historical air traffic counts, and forecasts of aviation activity are maintained on the web site maintained by the Office of Policy and Plans. (Federal Aviation Administration, No Address - #534.5.20300.A3)

PUBLIC INVOLVEMENT DATABASES

A4. CATs has set up a database to keep track of all conversations, requests for documents, receipt of documents and writing of comment letters for all NEPA projects of interest to our organization because agency mailing lists of interested parties are frequently not well managed, or disregarded when the time comes to send interested parties the documents they requested. Our database tracks project status, and keeps an overview of procedure compliance and irregularities. It became clear that record keeping is necessary to ensure we are sent NEPA documents relating to projects in which we have expressed an interest. For example, CATs had been on the mailing list for NEPA documents pertaining to the Independence Community Defense Zone, Fuel Hazard Reduction Project on Eldorado National Forest since July 10, 2001, but discovered in a routine call to check on the project's status in August 2002 that the project had in the mean time gone through public comment and that the Forest Service was almost ready to issue a decision. The Forest Service never notified CATs that the project had undergone analysis. (Placed-Based Group, Arcata, CA - #632.5.20400.A4)

FAA ENVIRONMENTAL NETWORK WEB SITE

The FAA provides both analytical tools and databases to interested parties. General NEPA information is provided and maintained on the FAA Environmental Network web site. (Federal Aviation Administration, No Address - #534.5.20300.A3)

NOISE AND AIR QUALITY MODELS

Noise and air quality models are provided on the Office of Environment and Energy's web site. (Federal Aviation Administration, No Address - #534.5.20300.A3)

FAA EASTERN REGION ENVIRONMENTAL INFORMATION FOR AIRPORTS

The FAA Eastern Region, in collaboration with other Federal agencies, has taken the initiative to establish a database of environmental information for airports in that Region. (Federal Aviation Administration, No Address - #534.5.20300.A3)

TREND DATA

We maintain data that establishes trends. Examples include timber harvest volumes and values, land use designations, acres treated and economic data. (Placed-Based Group, Sacramento, CA - #522.6.20300.A3)

GIS AND GISST

Do you maintain databases and other sources of environmental information for environmental analyses? EPA maintains national, state and local GIS data layers that the NEPA reviewers can access. Some of these layers come from other agencies and therefore vary in how effectively they are maintained.

Specifically, EPA Region 6 maintains a series of databases and GIS coverages and a Geographic Information System Screening Tool (GISST), that reflect chemical releases to air and water, inspection and compliance history, spill information, etc. Depending on the program, other information may also be tracked and incorporated into GIS coverages or databases (e.g., number and location of EISs, number and location of mitigation banks).

This tool was originally developed to assess and “flag” a variety of single and multimedia environmental concerns for the purpose of assessing impacts of multiple swine feedlots in a sub watershed. It has since expanded to cover many other types of NEPA projects, GISST allows NEPA reviewers to provide quick and early notification of environmental concerns for the NEPA process. It is a GIS-driven screening level process, evaluating environmental vulnerability and impact through the use of over 100 different types of environment resource and stressor “criteria” developed by EPA. GISST has proven to be an excellent tool for cutting NEPA review time, compensating for staffing shortfalls, and identifying potential impacts in NEPA projects. (United States Environmental Protection Agency, No Address - #299.16.20300.A3)

HISTORICAL INFORMATION ON TIMBER SALE TARGETS AND LOCAL ECONOMIC CONDITIONS

Our organization does not maintain extensive databases of environmental information. However, we do keep historical information about whether national forests have met their planned timber sale targets and information about the economic condition of local communities. We support any efforts to standardize information that will allow proposed actions to be compared and permit the public to better use the data supporting the decision. (Timber or Wood Products Industry, Portland, OR - #454.10.20300.A3)

ENVIRONMENTAL PROCEDURES MANUAL

WSDOT produces an Environmental Procedures Manual (EPM) on CD-ROM and on the Internet via the WSDOT home page at <http://www.wsdot.wa.gov/fasc/EngineeringPublications>. The EPM, revised twice a year, compiles environmental procedures and guidance on compliance with federal and state environmental laws and regulations for all phases of transportation projects. The online and CD versions feature live links to relevant federal and state electronic documents. NEPA and State Environmental Policy Act (SEPA) compliance guidance, process flowcharts, interagency forms and checklists make up the bulk of the EPM. (Washington State Department of Transportation, Olympia, WA - #551.6.20300.A2)

ENVIRONMENTAL AND TRANSPORTATION DOCUMENTATION

FHWA does maintain a vast amount of environmental and transportation oriented information, generally documentation, rather than data. (FHWS, Office of Planning and Environment- (<http://www.fhwa.dot.gov/hep/index.htm>), FHWA, Office of NEPA Facilitation, RE: NEPA Community of Practice (<http://nepa.fhwa.dot.gov/ReNepa.nsf/home>), Bureau of Transportation Statistics-National Transportation Atlas Database (<http://websas.bts.gov/website/ntad/maindownload.html>), and, FHWA and USGS-National Highway Runoff Water Quality and Methodology Synthesis- (<http://ma.water.usgs.gov/FHWA/runwater.htm>). (Federal Highway Administration, Washington, DC - #658.7.20300.XX)

Protocols and Standardization in the Development or Maintenance of Databases

651. Public Concern: Federal Agencies should standardize data collection and storage formats.

There appears to be no uniformity within a federal agency much less between them regarding data standards, data organization, format, etc. It would be exceedingly helpful if some level of standardization to both information resources and standard analytical frameworks so that one could begin to understand how land management decisions are made. Most, if not all, federal agencies utilize GIS to accomplish this, along with other technologies but beyond that there appears to be little structure to how it's done, what data is used, to what standard they collect data, the actual analyses performed, etc. (Individual, Broomfield, CO - #428.1.20310.A1)

[A3] One of the functions of the Idaho Department of Land's Cumulative Watershed Effects (CWE) analysis is to maintain and update a geographically referenced database of environmental parameters used to analyze the extent of adverse conditions related to forest practices and air quality within a particular watershed. For the time being, this information is considered to be project specific. However, information gathered regarding roads, stream crossings, culverts, canopy cover, and streams will likely have practical uses in the development of future projects.

As land managers and consultants to private landowners, the Department of Lands is dealing with a lot of the same environmental issues as the Forest Service. We feel that both agencies could benefit from sharing information. Thus, there may be a real need to standardize data collection and storage formats with regard to specific environmental parameters. (Idaho Department of Lands, Coeur d'Alene, ID - #46.1.20310.A3)

Please discuss any protocols or standardization efforts that you feel should be utilized in the development and maintenance of these systems.

Continual updating, storage, and prioritization are essential to maintain these systems. GIS mapping with uniform standards are also vital. Standard, compatible databases should be used on a nationwide basis. (Bob Cope, Commissioner, Lemhi County Board of Commissioners, Salmon, ID - #70.5.20320.A3)

BY USING ISO 14001

[A3] I believe all federal, state, county and city units dealing with NEPA requirements should be following ISO 14001. Private industries are slowly coming around to the importance of this standard, and government should as well. Let's have one set standard by which all can contribute and understand. (Individual, Washington, DC - #49.1.20310.A3)

AND CREATE MORE AVAILABLE NEPA PROJECT DATABASES FOR THE PUBLIC

Why don't the agencies themselves make more NEPA project databases available to the public? Each national forest and BLM district in Oregon has their own NEPA web page and they are all different. It could be more standardized, but I would not like to use it reduced to a lowest common denominator that was unhelpful. (Preservation/Conservation Organization, Eugene, OR - #106.7.20310.A3)

TO PROVIDE PUBLIC ACCESS AND PROTECTION FROM FAULTY DATA

GIS data is a big challenge. Individuals or groups with GIS capability have a definite advantage. The sophistication of the data makes it difficult for the ordinary citizen to compete against. The challenge is to verify the accuracy of the system, not merely accept it because of its sophistication. A public data system would provide access to the ordinary citizen and protect against faulty private data. (Placed-Based Group, Sacramento, CA - #522.5.20200.A2)

652. Public Concern: The CEQ Task Force should consider the difficulties of standardizing data and information.

Standardization of data and information, although perhaps desirable, would be difficult to achieve without considerable preparatory effort to establish the protocols and standards by way of a conference or series of conferences dedicated to that purpose. Is the absence of standardization a major problem? Would establishing standardization be worth the effort? (Business, Fairfax, VA - #520.3.20300.A3)

653. Public Concern: The CEQ Task Force should ensure databases meet specific criteria.

In general samples meet the following criteria: random, representative of the population, sufficiently large, controlled for extraneous variables.

Random sampling is intended to avoid bias in the selection of plots on the ground. Such plots may not always fall in a convenient area close to a road or trail. A representative sample of the population refers to the subject being sampled. If tall and short grass species are present in an area, then the plots sampled should each have tall and short grass present. Enough samples then must be taken to reach an adequate sample size to account for the variability in the plant community. Variability on a site may be due to a soil change, plant community variation, moisture difference within a site, climatic changes from season to season or year to year, etc.

1. Sampling must be carried out in a rigorous manner.
2. The study should be free from errors except for the variations that are due to the limitations of the equipment being used.
3. Bias should be avoided.
4. Experimental design and equipment should not be changed in the middle of an experiment.
5. Unusual values, outliers, should be checked to see whether or not it is due to a sampling error.
6. Good notes should be taken and kept until the study is completed. Summaries of the data are not sufficient for statistical analysis.
7. Conclusions should only be made after proper analysis is completed. (Domestic Livestock Industry, La Grande, OR - #496.9.20210.A3)

654. Public Concern: The CEQ Task Force should encourage agencies to share data for a standardized database.**TO STREAMLINE STUDY AND DATA COLLECTION PROCESSES**

The Task Force should consider encouraging the sharing of data sets required for the review and comment of NEPA analyses. As the effective review of environmental analyses, if done using GIS technology, often requires the same datasets, the Task Force should examine the development of standardized datasets for specific information. This could include federally listed threatened and endangered species and other relevant environmental data. This data should be readily available from a secure source, and referenced in the environmental analysis. (California Department of Transportation, Sacramento, CA - #660.2.20100.XX)

An effective way to cut costs, standardize approaches and share information across agencies is to develop a central Internet-based clearinghouse of NEPA-based monitoring and mitigation programs, approaches, and strategies employed by resource type and location (geo-referenced). This clearinghouse would allow resource managers to go to one location to see what others were doing in a specific ecosystem and with a specific resource base. Unfortunately, most monitoring and mitigation is buried in existing EAs or other agency documents and needs to be extracted, categorized, geo-referenced, and summarized to be useful. This is a project that could be undertaken by the Task Force and yield substantial agency savings in the future. In addition, such an approach would include the mechanism and format for agencies to include future monitoring and mitigation information in a centralized place, to which the public would have access. This Monitoring and Mitigation Clearinghouse could be maintained

as part of the very useful NEPAnet. (NEPA Professional or Association - Private Sector, Washington, DC - #450.5.20310.XX)

A 3. The Local USDA Affiliated offices and Agencies such as the NRCS, RC and D and Heath Department and Solid Waste divisions all keep data that is pertinent, however, a local archive or Database would speed and streamline all processes regarding studies and data collection. (Individual, Johnson City, TN - #631.4.20300.A3)

655. Public Concern: The CEQ Task Force should create standards for submitting NEPA information into a shared database.

There are challenges regarding project tracking that could be partially remedied by data sharing. Standards for submittal of information should be developed so that a database could be created and maintained, making this information available to EPA and other federal agencies. A prototype database that does this is being developed as part EPA's NEPAAssist tool. In addition, Region 2 has convened an interagency roundtable for the purpose of sharing environmental information, which has proven to be a useful venue to help facilitate environmentally sound planning efforts. The system under development will rely on each agency updating the data and maintaining its accuracy. (United States Environmental Protection Agency, No Address - #299.22.20300.A5)

AND PROVIDE ACCESS TO MORE DATABASES

As a NEPA coordinator for a federal agency, I keep in my own files that general information that could be handy for upcoming environmental assessments. However, access to more databases would be more useful. It would also be more convenient to be able to access peer-reviewed scientific journals online, which from my government computer, I cannot. (Individual, Homestead, FL - #484.1.20300.A3)

656. Public Concern: The CEQ Task Force should suggest protocols for databases which require third party reviews.

We maintain databases and share with others. The protocols should be non-university since they are now biased and incapable of dispassionate review, the third party reviews would comply with our Master Plan, and provide believable oversight to extreme bias and junk science currently used by all agencies. (Individual, Pioche, NV - #326.2.20300.A3)

657. Public Concern: The CEQ Task Force should encourage agencies to maintain databases available to non-agency personnel.

Federal agencies should maintain databases available to non-agency personnel. As of now USFWS biologists in Arizona, Nevada, New Mexico, and California have their "personal" files and keep those in their individual offices. If they are unorganized, the information is usually lost when they move on to another position. The USFWS should have libraries similar to those of other businesses wherein the files are centrally located, catalogued, and available to others working on the same species. (NEPA Professional or Association - Private Sector, Tucson, AZ - #82.5.20320.A1)

658. Public Concern: The CEQ Task Force should consider the extensive resources required for keeping databases consolidated and updated.

BECAUSE OF CONSTANT TECHNOLOGICAL AND SCIENTIFIC CHANGES

Consolidation of these databases may be useful, but keeping them current would require extensive resources because of the constant evolution of scientific methodologies and technology. The Navy operates in a wide variety of environments such as in the air, on surface water, underwater, on land, near the beach, etc. These diverse activities require the Navy to consider each action in context with specific environmental conditions. In areas where commonality exists, previous NEPA analyses are reviewed for applicability to the current action and are incorporated as appropriate. (United States Navy, Washington, DC - #568.5.20300.A3)

659. Public Concern: The CEQ Task Force should provide a history of database updates.**TO INFORM USERS OF REVISIONS**

It is important that updated databases include a history of changes so that users can be aware of the revisions that have been made. However, users of the data, unless they access it frequently, will not know when changes are made unless advised. (Oil, Natural Gas, or Coal Industry, Denver, CO - #598.3.20300.A3)

660. Public Concern: The CEQ Task Force should create a database of approved information.**TO USE IN PREPARING NEPA DOCUMENTS**

A database of approved information, kept by either the state or federal government would save time in collecting accepted data and would provide consistency among projects. Data would include GIS data, land management plans (both public and private), and peer-reviewed science publications. Public access to the data would allow public comment on the data and provide a uniform standard for data used in NEPA documents. Changes to the database would only be made after appropriate confirmation of its accuracy. A separation must be made between scientific data and public policy. (Placed-Based Group, Sacramento, CA - #522.4.20310.A2)

661. Public Concern: The CEQ Task Force should expand the use of GIS and other decision support tools.**TO CREATE AGENCY CONSISTENCY AND LESSEN RESOURCE NEEDS**

The Governors believe strongly that new technologies, such as geographic information systems and other decision support tools, are adding great value to the NEPA process and their use should be expanded and standardized. Ideally, all federal agencies should be undertaking their NEPA analyses using a single technology template that would allow for consistency in how all agencies engage state and local governments and the public. Presently, each federal agency uses different data standards and technology platforms when trying to use technology in the NEPA context and often the standards and use of technology even vary within an agency. A federal technology framework should be agreed upon that would set standards and processes for all federal agencies involved in NEPA processes. Not only would such a framework serve the interest of non-federal governments and the public because of its consistency across agencies and projects, it would also allow for a tremendous savings of scarce government resources. (Western Governors' Association, Denver, CO - #588.7.20310.XX)

662. Public Concern: The CEQ Task Force should consider the databases that are currently maintained.**THE LIVING ENVIRONMENTAL BASELINE**

Some program managers maintain automated databases of baseline environmental information for installation activities and environmental impact information for projects and activities implemented, approved, or proposed since the baseline was established. (Details are provided in the case study presented below.)

At Eglin AFB, a "Living Environmental Baseline" was developed over the last eight years and is presently shifting into a five-year update and maintenance phase. The intention is to update the LEB based on newly assessed projects/missions. The proposal listed above to establish regional clearinghouses could help to standardized information storage and retrieval not only for the multiple decision making authorities within the region, but if constructed as a nationwide model could facilitate standardization of information warehousing nationwide. From a GIS perspective, accurate databases of environmental data can be maintained. Data is continuously updated and refined as changes to the landscape occur. Applications should not be standardized because it is impossible to develop an environmental application that will work at every installation across the country. The CADD/GIS

Technology Center, a part of the Corps of Engineers at Vicksburg, MS, has been working for years to establish a set of standards for geospatial data across the Services. They are named the Spatial Data Standards for Facilities, Infrastructure and Environment. They are readily available for download from their website: <http://tsc.wes.army.mil/>. Also, within the Air Force, the GeoBase initiative, championed by the GeoIntegration Office at Air Staff is striving to standardize the use of geospatial technologies. The benefit will be less redundancy and more leveraging of lessons learned in the development of these tools and applications. (United States Air Force, Washington, DC - #525.5-6.20320.A3)

663. Public Concern: The CEQ Task Force should support greater federal funding for baseline data on water resources.

FUNDING FOR DATA ON WATERSHED YIELD, RIVER FLOW, AND GROUNDWATER LEVEL FLUCTUATION

States throughout the country are in process of creating and or adopting water regulations that may severely impact the allocation and use of both ground and surface waters in the state. Few if any of these states have ascertained the amount of water that can be safely extracted from the system, either via groundwater or surface water withdrawals. The states are also uncertain as to the ecological, hydrological and economic impacts of water withdrawal regulations, and are forcing businesses and municipalities to pay for water studies.

Businesses throughout the nation believe that it is unfair for the state to ask individual private water users or municipalities to be fully responsible for developing the baseline data for the state. The imposition of state and federal regulations based on inaccurate information is inappropriate and will unnecessarily result in business shutdowns without protecting the environment.

Suggested Action: Support the development of a technically defensible estimate for the yields of the watershed as well as information on the extremes of river flow and groundwater level fluctuation. (Business, Concord, NH - #16.17.20300.XX)

FUNDING FOR THE FEDERAL GAUGING NETWORK THROUGHOUT THE ENTIRE COUNTRY

States throughout the country are in process of creating and or adopting water regulations that may severely impact the allocation and use of both ground and surface waters in the state. Few if any of these states have ascertained the amount of water that can be safely extracted from the system, either via groundwater or surface water withdrawals. The states are also uncertain as to the ecological, hydrological and economic impacts of water withdrawal regulations, and are forcing businesses and municipalities to pay for water studies.

Businesses throughout the nation believe that it is unfair for the state to ask individual private water users or municipalities to be fully responsible for developing the baseline data for the state. The imposition of state and federal regulations based on inaccurate information is inappropriate and will unnecessarily result in business shutdowns without protecting the environment.

Suggested Action: Support additional funding for the federal gauging network throughout the entire country. (Business, Concord, NH - #16.17.20300.XX)

664. Public Concern: The CEQ Task Force should encourage development of a publicly accessible federal database of brownfields.

Brownfields are under-utilized property. The Government Accounting Office (GAO) estimates shows that there are 450,000 such sites in America today.

It is well recognized that liability for clean-up stifles and frustrates potential activity by developers. In particular federal liability remains a significant impediment to Brownfield restoration. Federal liability results in businesses not developing brownfields, instead property in surrounding communities are used.

A major factor in the ability of a developer to receive funding and convert a brownfield property into an economically viable project is the ability to locate end users for the facilities before redevelopment. There is currently no comprehensive mechanism for publicizing the availability of these brownfield properties. Since there is no centralized source of information, a business looking to relocate or expand would need to conduct an independent search on a town-by-town or city-by-city basis.

Independent searches for brownfields are expensive, often proving to be a roadblock in developing. A centralized information base could be the motivating factor, and incentive for businesses developing brownfields.

Suggested Action:

A publicly accessible federal data base of brownfields should be developed and publicized. This database could be as simple as a web-based bulletin board where property owners, municipalities, or developers post pertinent information on properties. This database would be inexpensive to create and maintain and would provide a great deal of benefit and assistance to a lot of individuals. (Business, Concord, NH - #16.13.20500.XX)

Information Management and Retrieval Tools

Summary

This section includes the following topics: Tools Used, and Suggestions/Concerns Regarding Tools.

Tools Used – Respondents mention various information management and retrieval tools. A number of respondents use internally developed information management tools. A few suggest the value of the NEPA management system (NEPAMS), while others prefer the Environmental Impact Analysis Process (EIAP), which utilizes an interactive website. Some other tools include web-based systems, the Internet (with the ability to access PDF files), MS Word, Excel, Access, Oracle, and web search engines (such as Google.com). A few respondents mention SPSS, ESRI software—specifically ArcGIS and ArcView—as well as GIS, Statsgraph Plus, Statistix, and Quattro Pro for managing information. Several respondents cite computer generated graphs, charts, and hard copy materials and documents such as NWI maps and technology reports as information management sources.

Suggestions/Concerns Regarding Tools – Many of the respondents who comment on information management tools suggest that the Task Force should encourage the creation of better information management and retrieval tools, such as a centralized system of information, an electronic reference library, a standard program for project information and tracking, a widespread digital database, and a standardized dialogue. “Tools should be relatively easy to use and potentially adaptable to unforeseen circumstances,” asserts one individual. A few respondents also suggest that agencies should track numerous specific types of information, while some suggest that the Task Force should maintain administrative records for rulemaking. Others feel that the Task Force should consider concerns with information management tools, such as the timing of information release and comment periods, and the adequacy and uniformity of agencies’ notification processes.

Tools Used

665. Public Concern: The CEQ Task Force should consider what information management and retrieval tools are used.

INTERNALLY DEVELOPED TOOLS

Either internally developed tools or those publicly available, at a cost or at no cost, through technical literature or over the Internet. We use such systems to track, package, sort, and store data that can subsequently be drawn on in performing analyses. (Business, Fairfax, VA - #520.4.20400.A4)

NEPA MANAGEMENT SYSTEM (NEPAMS)

At Sheppard AFB, Texas, NEPA Management System (NEPAMS) is used to calculate environmental impacts of proposed projects and provides decision makers cumulative impact information. This system allows the program manager to input project-specific data with a bearing on potential environmental impacts and receive as output a spreadsheet comparing project impacts for each quantifiable resource with the baseline and cumulative impacts related to implemented, approved, or pending projects. Project impacts are also compared with the potential cumulative impacts of maximum installation development (maximum capacity or activity). This database provides the NEPA program manager cumulative impact information on a continuous basis. (United States Air Force, Washington, DC - #525.7-8.20400.A4)

ENVIRONMENTAL IMPACT ANALYSIS PROCESS (EIAP)

The Environmental Impact Analysis Process (EIAP) at Eglin AFB utilizes an interactive web site for submittal of Request for Environmental Impact Analysis (AF Form 813). Each analysis request submitted is reviewed via the EIAP web site by members of an interdisciplinary working group, which identifies issues and concerns, if any, with the proposal. The reviews result in a determination as to whether the action fits a categorical exclusion, or if an environmental assessment is required. A link to the Geographic Information System is also built into the EIAP web site that allows a proponent to create a map to illustrate the proposal submitted for evaluation. The web site is powered by an Access database and Oracle platform. (United States Air Force, Washington, DC - #525.7-8.20400.A4)

WEB-BASED SYSTEMS

Web-based systems are used to manage and retrieve baseline environmental information. For example, on an intranet website, there exists a library of documents, initially in html format, but shifted to PDF formats. The information management system has some 20,000 reference documents key-worded for search capability. Portions of these documents have been scanned and undergone optical character reading to facilitate search and retrieval. (United States Air Force, Washington, DC - #525.7-8.20400.A4)

INTERNET, WITH THE ABILITY TO ACCESS PDF FILES, MS WORD, EXCEL, ACCESS, AND ORACLE

Question: A4 Response:

I use the internet, with the ability to access PDF files, MS Word, Excel, Access, Oracle and any other tools I can for information management and retrieval, and the key functions I use off each are their abilities to allow to copy and paste, edit and revise, and print legibly. (Individual, Washington, DC - #50.1.20400.A4)

GOOGLE.COM

What information management and retrieval tools do you use to access, query, and manipulate data when preparing or reviewing analyses? Response: Mostly I use Microsoft Word and the WEB. I use Google.com a lot to search for information on the WEB. (Government Employee/Union, Grangeville, ID - #44.5.20400.A4)

WEBSITES, EXCEPT WHEN DOCUMENTS ARE IN PDF FORMAT

Web sites are very useful except when documents are in PDF format. In HTML format the document can be copied, printed, stored, and utilized. In PDF format the document is not as useable. (NEPA Professional or Association - Private Sector, Tucson, AZ - #82.7.20500.A1)

MICROSOFT SOFTWARE

We rely on the Microsoft Office suite of software to further manipulate and prepare this data in written form. The use of Microsoft Office allows us to link applications and professionally prepare a final product in the form of a written report containing figures, tables, and charts. With the sheer volume of data already being stored, and more to come in the future, we are considering the idea of pulling all this information together under one database structure such as Standard Query Language (SQL). (Idaho Department of Lands, Coeur d'Alene, ID - #46.2.20400.A4)

MICROSOFT EXCEL

Probably the most typical tool would be MS Excel, both to accumulate data and analyze it. (Individual, Katy, TX - #185.1.20400.A4)

Our office has a computer network with shared files labeled by species name. We use Excel software to query and manipulate data. (NEPA Professional or Association - Private Sector, Tucson, AZ - #82.6.20400.A1)

SPSS

Regarding question A.3, I use Microsoft Excel for all data needs of my Division. Its main advantage is that it is very easy to learn and contains sufficient statistical tests to analyze virtually any type of environmental data. Its main drawback is that it cannot handle really large databases, say from 10,000 through millions of cases. For those processing needs, I would recommend SPSS. It is used in some offices of Department of Transportation such as that of the Inspector General. (Government Employee/Union, Bowie, MD - #17.3.20400.XX)

ESRI SOFTWARE, SPECIFICALLY ARCGIS AND ARCVIEW

[A4] The Department of lands utilizes ESRI software, specifically ArcGIS and ArcView, for storage and to aid in reporting on environmental data. (Idaho Department of Lands, Coeur d'Alene, ID - #46.2.20400.A4)

GIS

We believe that GIS provides an opportunity to develop more standardized, data-driven decision processes that maximize staff resources. EPA Region 2 is developing a tool that takes advantage of EPA's existing web-mapping infrastructure through environmental screening of proposed projects. It utilizes consistent datasets by EPA staff, other federal, state and local agencies, and the public. This publicly accessible information on specific resources such as wetlands and critical habitats enables earlier dialog regarding potential impacts of a project. The program's ability to track projects will also provide for a more thorough cumulative impacts assessment. (United States Environmental Protection Agency, No Address - #299.20.20400.A4)

STATSGRAPH PLUS, STATISTIX, AND QUATTRO PRO

To manage and retrieve data a spreadsheet program coupled with a statistical package is quite adequate for our needs. Statsgraph Plus is good choice and [we] know some who use and like Statistix. Microsoft Excel is good for some work as is Quattro Pro. The key is to have people who know and understand the proper use of statistical testing and are familiar with spreadsheet designs. (Domestic Livestock Industry, La Grande, OR - #496.7.20400.A4)

COMPUTER GENERATED GRAPHS AND CHARTS

Computer generated charts, graphs, etc. (Placed-Based Group, Sacramento, CA - #522.7.20400.A4)

HARD COPY DOCUMENTS

[A4] In reviewing analyses, the NMCGA mainly focuses on review of the actual paper document. We do utilize email, and the Internet for research to some extent. (Domestic Livestock Industry, Orick, CA - #353.12.20400.A4)

HARD COPY MATERIALS SUCH AS NWI MAPS AND TECHNOLOGY REPORTS

What information management and retrieval tools do you use to access, query, and manipulate data when preparing analyses or reviewing analyses? What are the key functions and characteristics of these systems?

Primarily hard copy materials such as National Wetlands Inventory (NWI) maps and technology reports are currently utilized in preparing analyses. (United States Environmental Protection Agency, No Address - #299.20.20400.A4)

FIELD EXPERTS

As a NEPA coordinator, rather than a writer of environmental analyses, I rely heavily on personally contacting experts in their field to write their professional opinions on impact topics. (Individual, Homestead, FL - #486.1.20400.A4)

Suggestions/Concerns Regarding Tools

666. Public Concern: The CEQ Task Force should encourage the creation of better information management and retrieval tools.

A CENTRALIZED SYSTEM OF INFORMATION

The Forest Service and consulting agencies could do a better job at using existing analyses, from different projects and even from different regions, to support new decisions or at least provide a starting point on unfamiliar issues. A centralized, web-based system of information that is easily accessible to project analysis teams could help increase efficiency, reduce redundancy, and address the education problem. It could help with the cross-pollination of information among the various agencies addressing resort NEPA. It would reduce the time and resources spent by the agency and resorts in addressing commonly analyzed issues. Examples of the types of resort issues that could be covered in the database include wildlife mitigation, demand, utilization and capacity issues, and air quality modeling. It could also include case studies of creative problem solving or successful collaboration on complicated issues among resorts, opposition groups, and government agencies.

Not only should NEPA decision documents be included in this database, but also the underlying studies that were done in the analysis. For example, if a ski area in Vermont develops mitigation for black bears, or a ski area in Colorado develops mitigation strategies for lynx habitat, that information should be readily accessible and shared from region to region. Again, this would allow agencies to focus more on what is new. (Recreational Organization, No Address - #19.14.20300.A1)

The FAA does not have a centralized system for information management or retrieval tools tailored specifically to NEPA work. Our NEPA practitioners frequently use the Internet to look for base maps to download. However, it is sometimes difficult to find good base maps that can be easily manipulated. For example, the U.S. Geological Survey (USGS) maps should be easier to access and manipulate electronically. It would be helpful if federal employees could type in a street address and get the latitude and longitudes of certain locations free of charge. This is something that is needed on a regular basis to address noise complaints. Also, the FAA uses the search capabilities on various web sites that agencies, universities, libraries, and other entities maintain.

There appears to be a lot of information out there, but it is scattered and not always compatible. It would be beneficial to have a web site that provides agency links that contain and organize resource information for all of the environmental impact categories (soils, wetlands, National Parks, Historic Districts, scenic rivers, etc.) into an easily accessible electronic database. (Federal Aviation Administration, No Address - #534.6.20400.A4)

AN ELECTRONIC REFERENCE LIBRARY

We need to have our reference library in an electronic, searchable database. We then need that database linked to a bibliographic program. Such a database and program facilitates consistency across the Forest in documents, it makes including citations easier, improves accuracy of document citations, makes compiling the planning record easier, the planning record is more complete, and facilitates work on appeals and litigation at the district, SO and RO levels. (Individual, Plymouth, NH - #13.3.20300.A3)

A STANDARD PROGRAM FOR PROJECT INFORMATION AND TRACKING

Please describe any protocols or standardization efforts that you feel should be utilized in the development and maintenance of these systems.

The lack of standards for providing project information and project tracking creates challenges for the development and implementation of these systems. EPA believes that it is important to have a standard

program that provides the final location, review notification, and schedule of implementation for projects evaluated under NEPA. This information, provided by the lead agency, would be helpful in significantly improving cumulative impacts analyses. (United States Environmental Protection Agency, No Address - #299.18.20300.A3)

WIDESPREAD DIGITAL DATABASES

Please describe any protocols or standardization efforts that you feel should be utilized in the development and maintenance of these systems.

Efforts should be made towards the attainment of a “buy-in” from other federal agencies in support of digital databases on a more widespread scale, such as providing exact locations of threatened and endangered species, watersheds, etc. This information should be available to those interested in order to prevent duplicative efforts. Coordination with the NEPA GIS workgroup and the use of standard datasets should be supported as much as possible. (United States Environmental Protection Agency, No Address - #299.18.20300.A3)

LINKING OF CEQ’S POLLUTION PREVENTION GUIDANCE TO EPA’S POLLUTION PREVENTION CHECKLISTS

Please describe any protocols or standardization efforts that you feel should be utilized in the development and maintenance of these systems.

CEQ’s guidance on pollution prevention and NEPA are particularly valuable, especially as Federal agencies develop mitigation for their NEPA projects. EPA has developed pollution prevention checklists for a wide range of projects (see “Pollution Prevention Environmental Impact Reduction Checklists for NEPA/309 Reviewers” Prepared for EPA by Science Applications International Corporation, January 1995, EPA contract #68-W2-0026). Although currently not available, EPA is in the process of placing these checklists on our website and will provide CEQ with the URL when they are available. We encourage CEQ to have its pollution prevention guidance link to EPA’s pollution prevention checklists. This would be a valuable tool for the lead Federal agencies preparing EISs and for other agencies and the public in preparing comments. (United States Environmental Protection Agency, No Address - #299.18.20300.A3)

IDENTIFICATION AND ADDRESS OF CURRENT EXECUTIVE ORDERS APPLICABLE TO NEPA ANALYSIS

Please describe any protocols or standardization efforts that you feel should be utilized in the development and maintenance of these systems.

It appears that many Federal agencies are not aware of Executive Orders, which may be applicable to projects undergoing NEPA analysis. This can be resolved by the identification of the most applicable Executive Orders and an address of all current Executive Orders currently available might need to be publicized to a greater degree. (United States Environmental Protection Agency, No Address - #299.18.20300.A3)

STANDARDIZED DIALOGUE

A 4 Local GIS and research Data is Standardized yet Private resource Data is not, resulting in difficult to retrieve and interpret data. A greater Database with a more standardized dialogue is required. (Individual, Johnson City, TN - #631.5.20400.A4)

USER-FRIENDLY TOOLS

The selection of information management and retrieval tools is, in part, dependent upon the type, scope, and difficulty of the project undertaken. Such tools should be relatively easy to use and potentially adaptable to unforeseen circumstances; the cost should not be prohibitive; the operation of the technology and analytical approaches should be such that they, and the results obtained from their use, should be such that the analytical methodology and results can be relatively easily translated into language understood by the layman. That is, the software, analytical approaches, and /results should not be so complex that no one can begin to understand what was done or how the results were arrived at. (Individual, Alexandria, VA - #650.5.20400.XX)

667. Public Concern: The CEQ Task Force should advise agencies to track numerous specific types of information.

The information we would like to see tracked include: project name, level of NEPA documentation (CE, EA, EIS), current status of project (including post-decision implementation status) descriptive location, watershed/sub watershed locations, GPS location, township range location, federal agency proponent, deciding officer, comment deadline and address, contact name and phone and email, potential NEPA significance criteria (e.g., wetlands, roadless, threatened/endangered/sensitive/special status species, cultural resources, critical habitat, old-growth forest, ACEC, RNA, prime farmland, etc.) (Preservation/Conservation Organization, Eugene, OR - #106.8.20300.A4)

668. Public Concern: The CEQ Task Force should maintain administrative records for rulemaking processes.

The application of information technology (IT) can greatly enhance the rulemaking processes. Proper administrative records should be maintained for each rulemaking, with many of these documents publicly available as part of the docket supporting that rulemaking. (National Oceanic and Atmosphere Administration, Washington, DC - #637.6.20000.XX)

669. Public Concern: The CEQ Task Force should consider concerns with information management tools.**TIMING OF INFORMATION RELEASE AND COMMENT PERIOD**

In general, our concerns with any information management tool, is the timing at which the agency's information is shared and when the request for public involvement is made. (Recreational/Conservation Organization, Washington, DC - #89.10.20611.A6)

ADEQUACY AND UNIFORMITY OF AGENCIES' NOTIFICATION PROCESSES

The agencies' notification processes are neither adequate nor uniform, and it is virtually impossible to find out about all of the pending actions that could have an impact. (Domestic Livestock Industry, Albuquerque, NM - #80.7.20500.A1)

Communication Technology

Summary

This section includes the following topics: Communication Technology General, Preferred Methods of Conveying/Receiving Information, Ineffective Methods of Conveying/Receiving Information, and Internet-Based Public Involvement.

Communication Technology General – Respondents believe that the Task Force should encourage agencies to make all information available to and easily accessible by the public. Others further assert that agencies should make research available early in the planning process “so that interested parties can help identify information gaps as soon as possible.” A few writers suggest that the Task Force should encourage agencies to create standardized websites for posting NEPA information. Others suggest that the Task Force should coordinate with agencies to develop environmental information systems.

Some respondents do not state a preference as to methods of communication but ask the Task Force to encourage agencies to base use of methods on community needs and the project's effects on social, economic, and environmental conditions. Finally, a few point out that the present use of communication technology is out of date, while some ask the Task Force to recognize that the cost of NEPA documents limits public access.

Preferred Methods of Conveying/Receiving Information – Respondents report preferences regarding methods of conveying/receiving information through electronic formats, traditional means, media sources, agency offices, public meetings, and a variety of other means. Respondents list an assortment of electronic formats such as the Internet, various websites, password-protected websites, Intranet tools, CD-Rom, GISST, NEPAnet, NEPAassist, e-mail, and computer modeling. In addition, respondents suggest that the Task Force should encourage agencies to ensure timely online access to federal plans, reports, research results, and other documents. These respondents also add that the Task Force should format tables, charts, and other data to allow downloading and manipulation. Others suggest that the Task Force should encourage agencies to use a standardized format for posting NEPA documents in Word, WordPerfect, or Adobe. A number of respondents assert that the Task Force should encourage development of a website for each state to post all NEPA actions and proposals. Some request that the Task Force establish a single web-base NEPA document repository through implementation of the e-government initiative. These writers assert that this “would improve the public’s accessibility to past and pending NEPA documents and improve agency staff efficiency in the preparation of new documents.” In addition, some respondents feel that the Task Force should require that, due to the expense of printing EISs with large appendices, background analyses should at least be made available on the Internet.

A number of individuals suggest that the Task Force should consider traditional methods of conveying information such as hard copies of NEPA documents, U.S. mail distribution, Schedules of Proposed Actions by mail, letters of notification, and faxes. In addition, respondents suggest that the Task Force should require agencies to provide hard copy documents upon request, at no charge to the individual.

Some respondents list media sources such as newspapers, television/radio announcements, the Federal Register, newsletters, foreign language news articles, interpreters, and sign language as preferred methods for conveying and/or receiving information. Others list public libraries and/or agency offices.

A number of respondents list public meetings at accessible sites, public workshops, citizen advisory panels, and stakeholder involvement as preferred methods. Additionally, respondents request that agencies use a combination or variety of methods, due to differences in public preference and differences in document size. Furthermore, some suggest that the Task Force should provide a method for the public to request environmental documents in the medium they choose.

Ineffective Methods of Conveying/Receiving Information – Some respondents urge the Task Force to consider that public meetings, libraries, newspapers, agency websites, and e-mail are ineffective methods of conveying/receiving information.

Internet-Based Public Involvement – The use of the Internet for public involvement is a topic of interest to many writers. Respondents suggest that the Task Force should provide adequate means for the public to submit comment through electronic methods. A number of others encourage agencies to provide websites for public comment, as long as the document being commented on is also available in hard copy, and that comments are posted on the website prior to the end of the comment period. Along the same lines, some people call for the development of a public input module for NEPAnet to use for dialog and suggestions, and also suggest that the Task Force should consider the benefits of soliciting public comment through e-mail notification.

Some respondents request that agencies publish quarterly “Schedule of Proposed Action” reports to inform and gather input from the public. A number of writers suggest that the Task Force should develop standards for electronically submitted comments, and others suggest the need for methods to distinguish between computer generated e-mails and substantive e-mails.

A number of respondents, however, feel that the Task Force should prohibit the implementation of computer software to review public comment, asserting that “knowledgeable agency personnel, not a machine, should review the actual comments and decide on the agency’s response.” Some feel that the Task Force should not provide a web-based medium as the only method for public input because it precludes some from participating.

Others encourage the Task Force to create an interagency NEPA information technology workgroup to review and report on NEPA information technology strategies. Finally, some respondents suggest that the Task Force should consider examples of internet-based public involvement, such as the EPA Region 6’s external peer review exercise on the GISST, and the Surface Transportation Board’s program.

Communication Technology General

670. Public Concern: The CEQ Task Force should encourage agencies to make all information available to the public.

Nothing should be excluded from public viewing or knowledge. All information supplied by private parties should be available to all other stakeholders and interested parties. (Individual, Coolville, OH - #181.1.20700.A7)

THROUGH A MECHANISM EASILY ACCESSIBLE BY THE PUBLIC

Information should be made available via a mechanism widely available and easily accessible by the public. (Individual, Lynnwood, WA - #178.2.20500.A7)

671. Public Concern: The CEQ Task Force should encourage agencies to create standardized websites for posting NEPA information.

[A6] Too often NEPA documents are difficult to find on an agency’s website. Worse, there is no standard, even within a single agency, for posting NEPA information on-line. For example, some national forests post schedules of proposed actions (“SOPAs”) on their web sites and others do not. Similarly, some BLM field offices post environmental assessments and impact statements on-line while others do not. A further problem is that intra-agency web sites (e.g., individual national forest sites) have different designs. The result is that we waste too much time clicking through web sites trying to learn whether and where NEPA documents are posted on-line. (Other, Seattle, WA - #213.4.20611.A6)

672. Public Concern: The CEQ Task Force should encourage agencies to make research available early in the planning process.

Environmental analyses often are based on information that is not readily available to the public. Very often, upon receiving a draft NEPA document, we must carefully comb through the document and identify studies and other primary information sources that only are contained within the administrative record, and then request these studies or data from the responsible agency. The recent trend of copying the administrative record onto a CD-ROM has helped alleviate some of the frustration involved in this process. It would be even more helpful for agencies to identify this information at the incipient stages of the NEPA process, and to make it available electronically (e.g., via the world wide web), so that interested parties can help identify information gaps as soon as possible. This would likely improve agency efficiency and help reduce the risk of lengthy revisions and/or administrative or legal challenges

because important information was not considered. (Preservation/Conservation Organization, Eugene, OR - #94.2.20510.F1)

673. Public Concern: The CEQ Task Force should coordinate with agencies to develop environmental information systems.

The greatest potential for potential for increased efficiency of information management among Federal Agencies will be through further coordinated development of environmental information systems. This cannot be done without investment in the future, but because most NEPA activities are funded at the project level, agency investment in environmental information management remains uncoordinated. An example of investing in the future for increased efficiency is the investment made by the Bureau of the Census in order to digitize all maps for the 1990 Census. This action has enabled not only the geo-referencing of all demographic data but also the widespread use of digitized maps for other applications - many of which are used in environmental analyses but are also used to look up an address on the Internet or to find your way with a handheld GPS unit capable of mapping. Similar transformation could take place in the environmental area if CEQ were to lead the way in specifying the model for the environmental management system protocol for the 21st Century. (NEPA Professional or Association - Private Sector, Washington, DC - #450.19.20500.A5)

674. Public Concern: The CEQ Task Force should encourage agencies to base use of methods on community needs and the project's effects on social, economic, and environmental conditions.

[A5] WisDOT has no preference as to how we transmit or receive information. We are, of course, a steward of public funds and required to be prudent when spending them. . . . WisDOT bases its preference for . . . methods on community needs and a project's effects to social, economic, and environmental conditions in the area of the project's influence. (Wisconsin Department of Transportation, Madison, WI - #214.8.20500.A5)

675. Public Concern: The CEQ Task Force should recognize that present use of communication technology is out of date.

The present approach to NEPA compliance is out of date. The focus of the current CEQ regulations on documents, comments, response to comments, and distribution may have made sense over 30 years ago, but we now operate in an age of computers, geographic information systems, electronic records, and internet access that affords interested parties real-time access to information. Also, citizens and their government communicate in much more collaborative ways than simply through the mail or at public meetings. (United States Department of Agriculture, Washington, DC - #110.15.20600.XX)

676. Public Concern: The CEQ Task Force should recognize that the cost of NEPA documents limits public access.

The cost of paper versions should NOT limit the public's access to these documents and data. However, it is quite reasonable for agencies to survey the public or interested individuals to determine how many of a document to prepare and send. That way 100 are not printed where 50 would suffice. (Preservation/Conservation Organization, Bozeman, MT - #662.7.20500.A5)

Preferred Methods of Conveying/Receiving Information

Electronic

677. Public Concern: The CEQ Task Force should consider what the preferred methods are for conveying and/or receiving information.

INTERNET

Internet Access to Information: The Task Force should recommend that all agencies make information relevant to projects under NEPA review available on the Internet, and accept public comments on those projects via the Internet. Public participation can be effective only if the public has accurate and complete information about a proposed project and adequate opportunities to comment on the project. The Internet offers a powerful tool to facilitate such information gathering and public comment by providing a single place where information can be accessed and shared at any time. Therefore, ELCP and CNT encourage the Task Force to recommend either that each agency post all information relevant to a project on its web page, or the development of a single web page dedicated solely to providing information on NEPA reviews being carried out by all agencies. This proposal is relevant to Study Area A. (Preservation/Conservation Organization, Chicago, IL - #87.18.20500.XX)

Response: Without a doubt, I prefer to be given the file location of the document in Microsoft word and access it there. I can then print out hardcopies of certain pages (if needed) at my leisure. (Government Employee/Union, Grangeville, ID - #44.6.20500.A5)

WEBSITES

Summary information about proposed actions and analyses should be conveyed in a wide variety of ways to reach all possible interested publics—. . . websites (Individual, Moscow, ID - #6.1.20500.A5)

PASSWORD PROTECTED WEBSITES

NCBA has utilized a password protected website to obtain information from members. Examples of such usages include NCBA's Environmental Stewardship Award program and online surveys and questionnaires, and electronic grass roots activities such as e-mail. However, none of this information has been disclosed to the public or to an agency for agency planning and decision-making. (Domestic Livestock Industry, Washington, DC - #630.7.20600.A6)

INTRANET TOOLS

What information management technologies have been particularly effective in communicating with stakeholders about environmental issues and incorporating environmental values into agency planning and decision-making (e.g., web sites to gather public input or inform the public about a proposed action or technological tools to manage public comments)? . . . Intranet tools can generate draft review letters to planning authorities that list critical environmental review process could significantly improve the efficiency and consistency. A summary of these efforts is located at: <http://intranet.epa.gov/gis/ofa/10-2001nepagismtgminutes.htm>. (United States Environmental Protection Agency, No Address - #299.23.20600.A6)

CD-ROM

[A6] WisDOT has had mixed success in communicating with stakeholders about environmental issues. We have had more success incorporating environmental values into our agency's planning and decision-making. We have used Internet web sites to inform the public about our EISs. We have provided EISs on CD-ROM as well as hard copy versions. We continue to send routinely 20 to 30 hard copy versions of our EISs to a variety of state and federal agencies. (Wisconsin Department of Transportation, Madison, WI - #214.9.20600.A6)

GISST

What information management technologies have been particularly effective in communicating with stakeholders about environmental issues and incorporating environmental values into agency planning and decision-making (e.g., web sites to gather public input or inform the public about a proposed action or technological tools to manage public comments)?

Although not yet implemented in all areas, or by all EPA regions, GISST has been a valuable tool with which to communicate information and EPA concerns about a particular EA/EIS. The GISST individual criteria scores help to bring stakeholders together for discussion of needed mitigation measures. GISST allows concerns to be addressed early in the NEPA process, while information is still being collected and analyses performed. This may reduce contractor costs and help avoid time delays.

(United States Environmental Protection Agency, No Address - #299.23.20600.A6)

NEPANET

One of CEQ's major cost saving accomplishments has been the implementation and maintenance of NEPANet (made possible through considerable contributions from the Department of Energy). This Internet based information system allows a gateway into the CEQ, its regulations, legislation, NEPA publications and other resource material. In addition, NEPANet serves as a gateway to Federal Agency environmental programs, NEPA documents and NEPA actions. To CEQ's credit, it highlighted its accomplishments in its 1997 Report Environmental Quality: The World Wide Web and showed how the web makes for more efficient environmental decision-making. (NEPA Professional or Association - Private Sector, Washington, DC - #450.19.20500.A5)

NEPASSIST

What information management technologies have been particularly effective in communicating with stakeholders about environmental issues and incorporating environmental values into agency planning and decision-making (e.g., web sites to gather public input or inform the public about a proposed action or technological tools to manage public comments)? . . . Although also not currently in use by EPA on a nationwide scale, EPA Region 2's NEPAAssist Pilot Program offers future benefits by providing a publicly accessible, web-based screening tool to allow Federal partners and the public to assess critical environmental resources potentially affected by a project. (United States Environmental Protection Agency, No Address - #299.23.20600.A6)

E-MAIL

The NMCGA supports the continued use of the postal service as the preferred method of receiving documents, and finds that . . . email [is an] effective way of communicating with the agencies and affected publics. (Domestic Livestock Industry, Albuquerque, NM - #80.13.20500.XX)

COMPUTER MODELING

Computer modeling used by the Forest Service, for example, can show potential consequences of their proposals on the landscape. This tool is effective, particularly to inform the public. (Association of Oregon Counties, Salem, OR - #456.6.20500.A6)

678. Public Concern: The CEQ Task Force should encourage agencies to ensure timely online access to federal plans, reports, research results, and other documents.

SHOULD FORMAT TABLES, CHARTS, AND OTHER DATA TO ALLOW DOWNLOADING AND MANIPULATION

Because we follow a broad range of wildlife population and wildlife habitat issues across the United States, it is critical that our staffs have timely on-line access to federal plans, reports, research results and other documents. While we recognize this need for security precludes making such sources fully interactive, it is important that tables, charts and other data presentation be formatted to allow downloading and manipulation. (Recreational/Conservation Organization, Washington, DC - #89.6.20500.A4)

679. Public Concern: The CEQ Task Force should encourage agencies to use a standardized format for posting NEPA documents.**IN WORD, WORDPERFECT, OR ADOBE**

We would recommend that the agencies use a standardized format for posting NEPA documents, either in Word, WordPerfect, or Adobe formats that are searchable. (Preservation/Conservation Organization, Vancouver, WA - #103.6.20500.A5)

680. Public Concern: The CEQ Task Force should encourage development of a website for each state to post all NEPA actions and proposals.

For those residents who are able to access and use the Internet, one suggestion would be a website for each state to post all NEPA actions and proposals, both EA and EIS. (Domestic Livestock Industry, Albuquerque, NM - #80.10.20500.A2)

681. Public Concern: The CEQ Task Force should establish a single web-based NEPA document repository.

Establishing a single web-based NEPA document repository and making it available for public access on an internet web page would improve the public's accessibility to past and pending NEPA documents and improve agency staff efficiency in the preparation of new documents. A web-based NEPA document repository could be constructed to maintain all NEPA documents directly for review/download or to provide hyperlinks to other agency internet webpages where the documents could be reviewed/downloaded. In either case, the web-based repository would provide the public and agency personnel with a single means to gain access to completed and pending NEPA documents.

The CEQ is well suited to undertake this action. An initial effort has been successfully implemented by CEQ with the addition of the NEPANet website, <http://ceq.eh.doe.gov/nepa/nepanet.htm>, which provides hyperlinks to several agency NEPA document web pages. This set of hyperlinks, however, is (1) limited in scope, (2) not always updated when changed by the individual agency, and (3) does not contain all NEPA documents prepared by the respective agencies.

The U.S. Environmental Protection Agency (USEPA) could assume this responsibility as part of its responsibility to prepare weekly Notices of Availability (NOA) in the Federal Register. The USEPA could assume the responsibility of ensuring that digital NEPA documents are available and accessible to the public at the time the NOA is published. While USEPA lists those NEPA documents available for review at its existing internet web page (www.epa.gov/compliance/nepa/current/index) and provides references to the Federal Register for past NOAs for NEPA documents, the process to gain access to a specific NEPA documents is cumbersome and often results in a document being unavailable electronically. (NEPA Professional or Association - Private Sector, Sacramento, CA - #533.2.20500.XX)

A great step forward would be to create a government-wide NEPA "portal" that would allow people a variety of ways to query the full range of NEPA projects. EPA has a program called "surf your watershed" that gives citizens access to EPA data about their neighborhood (<http://www.epa.gov/surf/>) and there are other similar efforts. At the NEPA portal people could inquire about projects affecting a certain geographic area where they live, or recreate, or they could query about impacts to habitat for a certain species such as mule deer, or coho salmon. (Preservation/Conservation Organization, Eugene, OR - #106.1.20500.XX)

THROUGH IMPLEMENTATION OF THE E-GOVERNMENT INITIATIVE

In keeping with the President's Management Council's e-Government initiative, National Marine Fisheries Services has begun the planning and agency cultural change necessary to consider broader use of "online rulemaking" (e-Rulemaking). As deployed by other agencies, e-Rulemaking involves a publicly available, online docket that contains all publicly available documents supporting each rulemaking, including all NEPA documents. E-Rulemaking has the potential to facilitate public input on NEPA documents and to increase the transparency of the agency's decision-making process. Other

agencies using these information technologies have already seen such benefits for their rulemaking, regarding both the quality and quantity of information from stakeholders and even from the general public. Improved public awareness of potential environmental impacts and better-informed comments on NEPA documents are corollary benefits to e-Rulemaking. (National Oceanic and Atmosphere Administration, Washington, DC - #637.8.20800.XX)

682. Public Concern: The CEQ Task Force should require that, due to the expense of printing EISs with large appendices, background analyses should at least be made available on the Internet.

We often must FOIA analysis files that are essential to our understanding of the NEPA document. EISs with huge appendices and large distributions can be expensive and wasteful, but the background analysis files must be made available on the Internet at least. (Preservation/Conservation Organization, Eugene, OR - #106.3.20500.A1)

Traditional – Hard Copies/Mail

683. Public Concern: The CEQ Task Force should consider what the preferred methods are for conveying and/or receiving information.

TRADITIONAL METHODS

Until 90 percent or more of the US households have access to computers and information technologies and know how to use them to access NEPA documents, it is important to continue to make NEPA information and documents available via traditional methods also. (Individual, Moscow, ID - #5.1.20500.A2)

HARD COPIES

Among NEPA's central purposes are to allow public involvement in decision making processes and to require agencies to disclose information concerning projects to all interested members of the public. It would allow agencies to be more efficient if all interested members of the public possessed and were proficient with the latest technology. This is not, and probably never will be, the case. As a result, we believe information dissemination to the public will always have to reach the "lowest common technological denominator." This does not mean that more advanced technology cannot be used to increase any agency's internal efficiency in generating NEPA products and to increase the efficiency of some members of the public in reviewing information. However, we believe "hard copy" information must still be available for those who request it. (Recreational Organization, Boise, ID - #90.3.20500.A2)

U.S. MAIL

The NMCGA supports the continued use of the postal service as the preferred method of receiving documents, and finds that the postal service [is an] effective way of communicating with the agencies and affected publics. (Domestic Livestock Industry, Albuquerque, NM - #80.13.20500.XX)

SCHEDULES OF PROPOSED ACTIONS BY MAIL

A5. We prefer to receive Schedules of Proposed Actions (SOPAs) by mail. (Preservation/Conservation Organization, Vancouver, WA - #103.6.20500.A5)

LETTERS OF NOTIFICATION

All agencies should be required to send letters of notification to organizations and elected officials in the area . . . (Individual, Buellton, CA - #511.4.10410.XX)

FAX

National Marine Fisheries Services also notifies the public of available NEPA documents (EISs and EAs) and associated comment periods through a wide variety of traditional methods . . . electronic faxes . . . (National Oceanic and Atmosphere Administration, Washington, DC - #637.9.20500.XX)

684. Public Concern: The CEQ Task Force should require agencies to provide hard copy documents upon request.

Require that a hard copy of environmental documents be given to a member of the public that requests it. Putting environmental documents on computer disk is only good for the 50 percent of the public who own computers and who can negotiate the often-complicated format in which the data is stored. But putting data on disk may not good enough to ensure that the other 50 percent of the public (who do not own computers) are able to obtain the information or do so without much difficulty. In addition, many programs either work poorly or not at all on certain computers. Agencies are essentially requiring each member of the public to invest \$1,000-2,000 in a computer, in some cases, so they can use the disk given to them. It costs a considerable sum to print out 500-1,000 pages documents on an individual's home printer. A hard copy can be easily used and carried to work so citizens can read and develop comments on their lunch hours and other free times. Stop assuming everyone has a computer. Putting a copy of an environmental document at a few local libraries in a town, city, or area to share is not sufficient for full public availability. (Preservation/Conservation Organization, Weldon, CA - #473.5.20511.XX)

AT NO CHARGE

I ask that the NEPA be strengthened by eliminating the provision that allows agencies to charge for copies of an Impact Statement. Some agencies have charged up to \$120 per copy. This is equivalent to a "poll tax" in that it effectively eliminates participation in the process. Citizens should have access to review and comment all Environmental Impact Statements and Assessments. (Individual, Houston, TX - #639.5.20510.XX)

Because of the overwhelming public need for paper versions of all NEPA related analysis and documentation, it is necessary that such paper sources be provided to the public at no cost, thus ensuring ongoing public participation in all levels of NEPA analysis, as the law's architects intended. (Other, Republic, WA - #577.6.20500.A5)

Media**685. Public Concern: The CEQ Task Force should consider what the preferred methods are for conveying and/or receiving information.****NEWSPAPERS**

NOIA commends the Task Force on its efforts to explore different means to gather information and to convey information and documents to the public. We support policies that allow agencies to provide documents to the public through the Internet, as well as through more conventional sources, such . . . newspapers of general distribution. Similarly, we agree that making NEPA documents available through the Internet is useful to the public. (Oil, Natural Gas, or Coal Industry, Washington, DC - #61.2.20500.XX)

TELEVISION/RADIO ANNOUNCEMENTS

Summary information about proposed actions and analyses should be conveyed in a wide variety of ways to reach all possible interested publics—newspapers, TV/radio announcements in the region . . . (Individual, Moscow, ID - #6.1.20500.A5)

FEDERAL REGISTER

NOIA commends the Task Force on its efforts to explore different means to gather information and to convey information and documents to the public. We support policies that allow agencies to provide documents to the public through the Internet, as well as through more conventional sources, such as the Federal Register . . . (Oil, Natural Gas, or Coal Industry, Washington, DC - #61.2.20500.XX)

NEWSLETTERS

National Marine Fisheries Services also notifies the public of available NEPA documents (EISs and EAs) and associated comment periods through a wide variety of traditional methods . . . newsletters,

both mailed and posted online. (National Oceanic and Atmosphere Administration, Washington, DC - #637.9.20500.XX)

FOREIGN LANGUAGE NEWS ARTICLES, INTERPRETERS, SIGN LANGUAGE

[A6] WisDOT uses a variety of public and agency involvement techniques including foreign language news articles, interpreters, sign language . . . (Wisconsin Department of Transportation, Madison, WI - #214.9.20600.A6)

Agency and Other Public Offices

686. Public Concern: The CEQ Task Force should consider what the preferred methods are for conveying and/or receiving information.

PUBLIC LIBRARIES AND/OR AGENCY OFFICES

The detailed documents should be available both electronically and in public libraries and/or agency offices. (Individual, Moscow, ID - #6.1.20500.A5)

Public Meetings/Public Involvement

687. Public Concern: The CEQ Task Force should consider what the preferred methods are for conveying and/or receiving information.

PUBLIC MEETINGS, AT ACCESSIBLE SITES

[A6] WisDOT uses a variety of public and agency involvement techniques including . . . accessible public hearing sites, and face-to-face meetings to both give and receive information. (Wisconsin Department of Transportation, Madison, WI - #214.9.20600.A6)

PUBLIC WORKSHOPS

The preferred methods of conveying or receiving information involve . . . public workshops . . . (Federal Aviation Administration, No Address, - #534.7.20500.A5)

CITIZEN ADVISORY PANELS

A.6. Certain counties, e.g., Union, Wallowa, and Jackson, have formed citizen advisory panels to provide advice and recommendations to commissioners regarding federal land management issues. Collaboration within the advisory panels has been a successful tool. (Association of Oregon Counties, Salem, OR - #456.5.20600.A6)

STAKEHOLDER INVOLVEMENT

Most valuable information management technologies in communicating with stakeholders are stakeholder seat at the table during the early stages of analysis, continuing throughout the process until a decision has been made. This provides stakeholders with an understanding of how the decision has been made. This provides stakeholders with an understanding of how the decision was reached, even if they disagree with the outcome. (NEPA Professional or Association - Private Sector, Tucson, AZ - #82.8.20600.A1)

Other

688. Public Concern: The CEQ Task Force should consider what the preferred methods are for conveying and/or receiving information.

VARIETY OF METHODS

Response: There are many ways to communicate with the public. Some members of the public like to receive information via an advance technology, others do not. The real strength in communicating with the public is to use a variety of methods, including:

The WEB

Direct E-mails

Hardcopy mailings from a mailing list people ask to be on.

Legal notices in the newspaper.

Forest news in the news section of the newspaper.

Public meeting and open houses.

I have heard concerns about most of these from different people. (Government Employee/Union, Grangeville, ID - #44.7.20600.A6)

COMBINATION OF METHODS

[A5] A combination of paper, electronic messaging, CD-ROM, and websites are preferable for distributing NEPA documents; however, the method is dependent upon the size of the document. Large documents do not lend themselves well to electronic messaging since many organizations have set limits on the size of electronic mail attachments. Likewise, the use of websites may offer a challenge for those individuals who telecommute and do not necessarily have access to broadband Internet services. Websites may also pose information security threats. As a result, mailing CD-ROM copies of the NEPA document may be the best transmittal method, with a second preference being hard copy transmittal. With regard to conveying or receiving other information, websites and e-mail along with newspapers and other media are very effective methods to provide notice of availability. The transmission of any related data should also take into account the technological capabilities of the affected or interested public. (United States Navy, Washington, DC - #568.7.20500.A5)

FOR EIS FILING PURPOSES, FIVE HARD COPIES AND A CD-ROM

What are your preferred methods of conveying or receiving information about proposed actions and NEPA ANALYSES and for receiving NEPA documents (e.g., paper, CD-ROM, website, public meeting, radio, television) Explain the basis for your preferences.

A PDF version of the whole document is useful for some purposes. We generally prefer a paper copy and a CD-ROM version of the NEPA document. The paper version is easier on the eyes and the CD-ROM is very useful to "search and find" key categories of information (e.g., purpose and need, cumulative impacts, etc.) This preference is changing, however, and anything electronic that can be integrated into a database and manipulated is useful. Regardless of preference, for EIS filing purposes, five bound copies must be provided and a CD-ROM may also be included with these copies. (United States Environmental Protection Agency, No Address - #299.21.20500.A5)

METHODS THROUGH WHICH INFORMATION IS TIMELY AND ACCESSIBLE

Defenders does not have one preferred method of conveying or receiving information, though we expect the information to be timely and to be reasonably accessible to us. (Preservation/Conservation Organization, Washington, DC - #465.17.20500.A5)

TELEPHONE

During the course of gathering information, once the NOI is out and a process is underway, the phone is our preferred method of conveying information or while seeking clarification. (Multiple Use or Land Rights Organization, Rock Springs, WY - #453.16.20600.A5)

689. Public Concern: The CEQ Task Force should provide a method for the public to request environmental documents in the medium they choose.

We need a stronger NEPA and not a weaker one. This can be done in the following way:

Provide some sort of method for citizens to request that the agency provide them with a hard copy, CD/disk, or web access to electronic documents. (Preservation/Conservation Organization, Charlottesville, VA - #555.6.20600.XX)

Ineffective Methods of Conveying/Receiving Information

690. Public Concern: The CEQ Task Force should consider that some methods of conveying or receiving information are not effective.

PUBLIC MEETINGS

In our view, public meetings could play a lesser role in the process. As NEPA documents and associated issues have become more complex the ability to disseminate and receive meaningful information in a public meeting has decreased. The meetings generate unnecessary expense and stress for agencies as well as the public. (Recreational Organization, Boise, ID - #90.6.20500.A5)

Public meetings often carry an inherent inability to focus public comment, resulting in a lack of clarity regarding specific proposals. Due to the geographic qualities of our area, the population is often faced with an overwhelming number of environmental issues, making it difficult for them to concentrate on one specific issue at a time. (Bob Cope, Commissioner, Lemhi County Board of Commissioners, Salmon, ID - #70.9.20611.A6)

LIBRARIES

Getting to a library proves too cumbersome and therefore discourages comment. (Individual, Katy, TX - #186.1.20500.A5)

NEWSPAPERS

The BLM uses the legal notice section of remote rural newspapers to announce final decisions on their timber sales. This does not work for us. (Preservation/Conservation Organization, Eugene, OR - #106.9.20500.A5)

AGENCY WEBSITES

Agency updating of web sites with notices of proposed actions and publication of NEPA analyses is not sufficient because the non-standard nature of agency web sites makes it difficult to find such notices on different sites. (Other, Seattle, WA - #213.2.20500.A5)

E-MAIL

The use of e-mail to solicit and receive comments on proposed actions has been problematic. There have been cases where e-mail inboxes were inundated with e-comments that were all saying basically the same thing. This isn't helpful to the decision maker and raises the question of appeal rights of the commenter because the messages have no signature or mailing address.

There are also examples of special interest groups developing their own "description" of the proposed action and sending that out to their membership with a request for them to respond directly to the Agency. These "descriptions" were biased and unclear and intended to create negative responses among the group's membership. In most cases the comments received were only in response to this "description" and the actual NEPA documents were never reviewed. (Individual, Fort Collins, CO - #113.1.20600.A6)

Internet-Based Public Involvement

691. Public Concern: The CEQ Task Force should provide adequate means for the public to submit comment through electronic methods.

Agencies must also provide adequate means for the public to submit comments on proposed agency actions. It is particularly important that agencies provide the public with a means of submitting comments electronically and that these comments are given equal weight to their hard-copy counterparts. (Preservation/Conservation Organization, Washington, DC - #539.10.20611.XX)

692. Public Concern: The CEQ Task Force should encourage agencies to provide websites for public comment.

[A6] Web site where DEIS, for example, can be viewed and commented on. Could even use during scoping to possibly ward off some of the “sky is falling” mentalities. (Individual, McCall, ID - #31.2.20600.A6)

[A6] I think the software being used by one contractor is incredibly useful, and that is Commentworks. I don’t know the name of the company that produces it, but I have seen it in action and used it effectively. If the task force is looking for the most effective info management technology, looking to gathering public responses on NEPA analyses via the internet and using some sort of content analysis software. (Individual, Washington, DC - #52.1.20600.A6)

I think that implementation of the electronic form of comment submittal, i.e. direct submittal after reading online a particular section of a (preliminary) EIS would acquire a new set of opinions, beyond that from those comfortable submitting in a more formal written document.

This is in addition to, not supplanting, the other means of acquiring comment. These are the folks who access FirstGov. . . .

This would also, though, probably need some means to collate these responses electronically. (Individual, Katy, TX - #200.1.20600.XX)

AS LONG AS THE DOCUMENT BEING COMMENTED ON IS AVAILABLE IN HARD COPY

Websites except that many rural folks don’t have personal access. I have time and access that many don’t, if there were either designated public computers in libraries so folks can go there and not have to wait or schedule their time so they can review and comment that would help. I find that our local groups prefer the paper but will comment on a web site if they got a chance to read the hard copy . . . they don’t trust electronic stuff enough believe that what they are reading on line is real . . . as much as they believe the hard copy. (Individual, Pioche, NV - #329.1.20600.A6)

WITH COMMENTS POSTED ON THE WEBSITE PRIOR TO THE END OF THE COMMENT PERIOD

[A6] We would benefit from having the ability to view the comments that other interested parties have submitted, prior to the end of the comment period. While this information is sometimes included with Records of Decision/Decision Notices, we would prefer viewing the comments on-line, as the agency receives them, rather than reading them all at once after the comment period has expired. (Other, Seattle, WA - #213.3.20600.A6)

693. Public Concern: The CEQ Task Force should develop a public input module for NEPANet.**TO USE FOR DIALOG AND SUGGESTIONS**

Develop a public input module for NEPANet in order to use the site as a vehicle for dialog and suggestions on increasing the utility of the web site.

Identify additional agency resources available on the web, which could be linked to NEPANet for more effective and efficient utilization of agency information

Identify examples for managing models, data and maps (e.g. the agreement on GIS standards within the Dept. of Defense).

Identify capabilities within the agencies for developing and maintaining new modules for NEPANet.

Develop a work plan for moving NEPANet into the 21st Century and an associated budget. (NEPA Professional or Association - Private Sector, Washington, DC - #450.21.20800.XX)

694. Public Concern: The CEQ Task Force should consider the benefits of soliciting public comment through e-mail notification.

National Marine Fisheries Services anticipates that taking public comment via online means would expand stakeholder involvement and improve quality of NEPA documents (see earlier discussion of e-Comments). National Marine Fisheries Services is currently considering the use of Internet "list-serves" to notify interested stakeholders of NEPA documents available for review and comment. Stakeholders would be able to register online to receive notification that particular rule-related documents, including NEPA documents, are publicly available for review and comment. The e-mail notification to registered parties would specify means of obtaining the subject documents and the dates regarding the formal public comment period. (National Oceanic and Atmosphere Administration, Washington, DC - #637.10.20800.XX)

695. Public Concern: The CEQ Task Force should require agencies to publish quarterly "Schedule of Proposed Action" reports.**TO INFORM AND GATHER INPUT FROM THE PUBLIC**

A6. In order to inform the public and gather public input, the USDA Forest Service publishes quarterly reports (Schedule of Proposed Actions). However, not every National Forest publishes SOPAs or publishes it in a timely manner. For example, Inyo National Forest in California has not published a SOPA since December 2000, and San Bernardino National Forest has not published one since November 2001. Other federal agencies should also publish similar quarterly reports. (Placed-Based Group, Arcata, CA - #632.8.20600.A6)

696. Public Concern: The CEQ Task Force should develop standards for electronically submitted comments.

The CEQ is in a unique position to establish guidance for specifying how all agencies receive electronic comments on NEPA documents. Guidance could include (1) requiring lead agencies to establish an appropriate email address; (2) notifying the public of the address as part of a Notice of Intent to prepare a NEPA document, scoping reports, official advertisements, or other formal notification process; (3) ensuring that comments received by e-mail are recorded, filed, and considered in the preparation of the NEPA document; and (4) ensuring that comments received by e-mail are considered equal to other written or verbal comments that may be received during the public/agency review of a NEPA document.

The cost to provide access to the public for submittal of comments is expected to be minimal. With adequate planning, e-mail accounts can be modified for the creation of new, document-specific accounts that will enable the public to submit comments directly to agency staff. Such an account could be set up readily to distribute comments to multiple parties, offices, or other team members responsible for preparing the specific NEPA document. (NEPA Professional or Association - Private Sector, Sacramento, CA - #533.1.20600.XX)

697. Public Concern: The CEQ Task Force should develop methods to distinguish between computer generated e-mails and substantive e-mails.

Email technology has introduced a new challenge to agency managers seeking public input. Methods must be developed to distinguish between computer-generated mass emails and that which comes from individuals and organizations offering substantive comments. (Other, Washington, DC - #587.10.20611.A6)

698. Public Concern: The CEQ Task Force should prohibit the implementation of computer software to review public comment.

With respect to your Category A, Technology, it is objectionable to use computer software in order to review, categorize using key words, and then respond to public comments on NEPA documents. Knowledgeable agency personnel, not a machine, should review the actual comments and decide on the agency's response. This response process can be an important part of the agency consideration of

alternative actions, ones that may be environmentally preferable to actions and alternatives the agency has considered on its own. Recommendation: Prohibit excessive impersonal use of computer technology to process, categorize, and respond to public comments. (Other, Washington, DC - #476.15.20511.XX)

699. Public Concern: The CEQ Task Force should not provide web-based mediums as the only method for public input.

BECAUSE IT PRECLUDES SOME FROM PARTICIPATING

As noted above, we find websites to be a very useful information management tool. Websites can also be an efficient method of gathering public input. The IDFG uses its website to gather public input on rule making and management programs. One caution, website-based public input leaves out many publics and therefore should not be the only method employed. (Idaho Department of Fish and Game, Boise, ID, - #579.3.20600.A6)

700. Public Concern: The CEQ Task Force should create an interagency NEPA information technology workgroup.

TO REVIEW AND REPORT ON NEPA INFORMATION TECHNOLOGY STRATEGIES

The formation of an interagency NEPA IT workgroup could be beneficial. The workgroup could review and report on NEPA-related IT strategies and needs within the Federal government, allowing small agencies like the Board to benefit from the sharing of information and lessons learned concerning specific IT approaches and their cost implications, legal sufficiency, public acceptance, and usability. (Surface Transportation Board, No Address, - #519.8.20840.A3)

701. Public Concern: The CEQ Task Force should consider examples of internet-based public involvement.

EPA REGION 6'S EXTERNAL PEER REVIEW EXERCISE ON THE GISST

Although websites offer an excellent opportunity to gather public input and provide information about a proposed action, there may be limited access to these tools. Without broad access to information management technologies, these tools must be used in conjunction with more traditional information exchange methods. An additional concern is the security and sensitivity of the information on the web.

EPA Region 6 conducted an external peer review exercise on the GISST in 2001. The recommendation from that exercise could be applied to other programs and include the following:

- The need to publish papers in scientific literature.
- A handbook should be developed that explains use of the system and the technical details of how the system was developed.
- Program developers should speculate as to the future scope of users and develop an education and training program based on this information.
- A series of case studies should be developed so that potential users might understand how the program is applicable to their needs.
- The program should be available on the Internet and although the database should be controlled to assure an adequate level of quality, it should be available to everyone. (United States Environmental Protection Agency, No Address - #299.24.20611.A6)

SURFACE TRANSPORTATION BOARD'S PROGRAM

With the assistance of a contractor, the Board is currently developing a computer-based program that will enable the agency to more effectively log in, maintain, and permit access to comments and environmental correspondence submitted during the environmental review process. A longer-term goal of the Board is to explore ways to develop a comprehensive document management system that would allow agency records to be accessed by Board staff and the public in a searchable CD-ROM format. (Surface Transportation Board, No Address - #519.6.20600.A2)

Balancing Public Involvement and Information Security

Summary

This section includes the following topics: Balancing Public Involvement and Information Security General, General Emphasis on Information Security, General Emphasis on Public Access, and Treatment of Sensitive Information.

Balancing Public Involvement and Information Security General –Some respondents assert in general that the Task Force should work to minimize information security risks by developing security and confidentiality guidelines, and by developing system and access control protocols, in order to place limits on “those with malicious intent while assuring that those with legitimate need are able to gain access with minimal delay.” A number of individuals maintain that the Task Force should follow Executive Order 12600 in determining how to balance public involvement and information security. Some suggest that agencies should train employees on how to balance public involvement and information security. Finally, a number of writers request that agencies conduct hearings for actions considered controversial.

General Emphasis on Information Security – A number of respondents feel that the Task Force should advise agencies to give priority to information security over public involvement. According to one individual, “The balance between public involvement and information security should always be tipped on the security side. Websites must have impenetrable firewalls; anything submitted by the public in the form of comment must be scanned some how to make sure the data is safe.” Others suggest that the Task Force should ensure that adequate policy and security review is enforced given the post September 11, 2001, security standards.

General Emphasis on Public Access – Some respondents express concern regarding limits on public access to information through the implementation of security measures. Some assert that “public involvement outweighs any attempts to limit the public’s access to information through information security measures.” These respondents suggest that the Task Force should encourage a liberal NEPA policy regarding public access to information and give priority to information security only in the narrowest circumstances. A few individuals feel that that the Task Force should recognize that increased security concerns have diminished the quality of information available to the public, suggesting that “documents subjected to such censorship are difficult to interpret due to the deleted or low-resolution maps and related information.” Some assert that the Task Force should encourage agencies to make information available from several different sources. A few respondents suggest that the Task Force should be aware of situations where state law requires release of information, and that the Task Force should not constrain dissemination of information to public lands committees or other interested parties. Finally, a number of respondents simply maintain that agencies should not be concerned with information security with respect to public comment.

Treatment of Sensitive Information – Respondents request that several types of information not be made public, such as economic and culturally significant information, information on tribal historical sites, personnel data, and information that could potentially endanger a project or personnel. In addition, respondents suggest that sensitive data includes private citizen information; personal identifying information that constitutes an invasion of privacy, and information that could jeopardize private citizens or national security.

Additionally, a number of respondents provide suggestions as to how agencies should treat sensitive information. According to one respondent, "Where information security refers to computer security (hacking) the government should take steps to insure that data is secured behind firewalls and similar isolating mechanisms." Some suggest that agencies should use software that protects electronically posted documents from editing by third parties. Others suggest that the Task Force should consider developing two separate versions of NEPA documents to separate confidential information from public information, and provide the version containing high-risk information only to those who provide identification. Some feel that more information detail should be provided to resource management agencies; and that, to avoid hindering NEPA analysis, agencies should provide non-government biologists with otherwise sensitive data regarding the location of threatened and endangered species. A number of respondents feel that the Task Force should encourage agencies to treat statutorily protected material the same as classified information. Finally, some suggest that the Task Force should consider the inconsistency in the Department of Energy sites on the electronic availability of both historic and time-sensitive review drafts of public documents.

Balancing Public Involvement and Information Security General

702. Public Concern: The CEQ Task Force should work to minimize information security risks.

Information security needs to receive priority. While the Internet and other technologies have enhanced State public involvement processes, particularly for strategic planning, there will always be risks. Effort must be taken to minimize risk. (Other, Washington, DC - #587.11.20700.A7)

BY DEVELOPING SECURITY AND CONFIDENTIALITY GUIDELINES

Security and confidentiality of information is an important issue for Southern Company. We recommend that the CEQ develop default security and confidentiality controls, perhaps on an industry or project-type basis, that would presume certain information will be kept confidential. These presumptions could operate similarly to categorical exclusions and could be overcome upon the appropriate showing. The bottom line is that some information should be presumed confidential, instead of requiring a case-by-case showing that security or other factors demand confidential treatment. (Utility Industry, Birmingham, AL - #584.5.20700.XX)

BY DEVELOPING SYSTEM AND ACCESS CONTROL PROTOCOLS

It is certain that specific, relevant data layers from a comprehensive Environmental GIS and websites must be secured against potential misuse. Security system and access control protocols must be established to prevent or maintain limits on access by those with malicious intent while assuring that those with legitimate need are able to gain access with minimal delay. Other factors to be considered in balancing public involvement and information security include: the need to respect tribal concerns, the location of threatened and endangered species, and the location of archaeological sites. (Federal Highway Administration, Washington, DC - #658.9.20700.XX)

703. Public Concern: The CEQ Task Force should consider several factors in implementing information security measures.

The following factors should be considered in making decisions regarding balancing public involvement and information security:

The nature and severity of a potential threat to human health and the environment resulting from the proposed action. The greater the threat, the more open the information sharing process should be

The nature and severity of socio-economic impacts of the proposed action on the affected community. The greater the threat, the more open the information sharing process should be.

If an issue, the nature of and amount of sensitive information to be reviewed during an analytical process. For example, in the private sector, there may be process-specific information which is of a sensitive nature, and its release could result in a loss of competitiveness.

Whether or not there is sensitive information, which has no bearing upon the particular action being taken/considered, but which, if released could adversely affect the overall operation of the facility or cause undue concern on the part of stakeholders and other interested parties. (Individual, Alexandria, VA - #650.8.20700.XX)

704. Public Concern: The CEQ Task Force should follow Executive Order 12600.

IN DETERMINING HOW TO BALANCE PUBLIC INVOLVEMENT AND INFORMATION SECURITY

Designating specific factors for the purpose of balancing public involvement and information are difficult to enumerate on such a broad scale. Much depends on the nature of the agency action, the extent of information gathered by the agency, and for what purpose the agency is collecting the information and whether the information obtained is for the purpose of receiving technical or financial assistance. In order to properly balance public involvement and information security, we suggest all agencies follow the measures originally outlined in Executive Order 12600 and then issued by USDA under 7 C.F.R. 1.12. Exec. Order No. 12, 600, 52 Fed. Reg. 23781 (1987).

Oregon Cattlemen's Association also adds that some common sense and respect for private property and private intellectual property will go a long way, but following established law and protections when handling information will help to insure a reasonable balance between public involvement and information security. (Domestic Livestock Industry, La Grande, OR - #496.15.20700.A7)

705. Public Concern: The CEQ Task Force should require agencies to train employees regarding balancing public involvement and information security.

We suggest that training and information sessions be made mandatory for federal employees at the onset of employment. (Domestic Livestock Industry, La Grande, OR - #496.15.20700.A7)

706. Public Concern: The CEQ Task Force should require that agencies conduct hearings for actions considered controversial.

Each federal agency undertaking an action requiring NEPA compliance is under a mandate to make diligent efforts to involve the public in preparing and implementing NEPA procedures, 40 C.F.R. [section] 1506.6(a)(1993). The agency must conduct public hearings for actions that are controversial and must provide public notice of such hearings or other related meetings. 40 C.F.R. [section] 1506.6(b), (c)(1) (1993). Where the action to be studied involves sensitive or privileged information, the public disclosure duties become much more difficult. (United States Coast Guard, No Address, - #600.3.20700.XX)

General Emphasis on Information Security

707. Public Concern: The CEQ Task Force should advise agencies to give greater weight to security than to public involvement.

The balance between public involvement and information security should always be tipped on the security side. Websites must have impenetrable firewalls; anything submitted by the public in the form of comment must be scanned some how to make sure the data is safe. Using something like Norton Virus Checker on each submitted comment prior to allowing it into the database collection is imperative. (Individual, Washington, DC - #53.1.20700.A7)

708. Public Concern: The CEQ Task Force should ensure that adequate policy and security review is enforced.**GIVEN THE POST SEPTEMBER 11, 2001 SECURITY STANDARDS**

Given the post 9/11 environment, extra caution must be taken to ensure adequate policy and security review is accomplished on all information released to the public. While individual NEPA documents may not contain sufficient information to pose a security risk, combined with other NEPA documents and referenced material (especially detailed geospatial data), the combination has the potential to disclose targets of opportunity and descriptions of operations, which could be used against us. It is sometimes difficult to determine who gets to see what. This challenge extends beyond public involvement to interagency review. Often a sister federal agency or state/regional/local agency may request additional reference materials to support their technical review of a NEPA document to include in some cases geospatial data. If not adequately protected by that agency, this information could be mined by outside interests creating security risks. Something as simple as showing utility infrastructure could become very useful to individuals or organizations intending to carry out attacks on federal agencies/facilities. At the same time, one of the most important aspects of NEPA is to ensure public involvement through appropriate disclosure of information. A possible solution might be to provide limited information describing the proposed action and alternatives along with a summary of the potential the impacts to the human environment. Additional information could be made available, perhaps for viewing only, following some type of screening. (United States Air Force, Washington, DC - #525.11.20700.A7)

General Emphasis on Public Access**709. Public Concern: The CEQ Task Force should not limit the public's access to information by implementing security measures.**

The federal government is part of a democracy. In a democracy, the citizens retain the power that has not been delegated. CCNS believes, even in this post 9/11 world, that citizens have not rescinded the power of public involvement to the federal government. CCNS also believes that public involvement outweighs any attempts to limit the public's access to information through information security measures. The NEPA Task Force should seriously examine and analyze any proposals that would limit public involvement in decision-making involving federal activities that impact the environment. (Preservation/Conservation Organization, Santa Fe, NM - #571.5.20700.A7)

710. Public Concern: The CEQ Task Force should encourage a liberal NEPA policy regarding public access to information.

There are some legitimate concerns about revealing certain kinds of information to the public. A frequent area of concern is location-specific information about listed or sensitive species or cultural sites. However, given the fact that most of the cases evaluating such issues have concluded that such information cannot be [withheld] from the public, we believe NEPA policies and regulations should reflect a liberal policy of public access to information. This is also consistent with increasing scrutiny of site-specific decisions in NEPA analyses. If the agency will ultimately be required to provide location-specific information to justify its decision there is little reason to initially [withhold] the same from the public. (Recreational Organization, Boise, ID - #90.7.20700.A7)

AND GIVE PRIORITY TO INFORMATION SECURITY ONLY IN THE NARROWEST CIRCUMSTANCES

[A7] Agencies must not present vague, unsubstantiated concerns about information security as justification for limiting public involvement in proposed actions or the release of documents under the Freedom of Information Act (FOIA). A primary purpose of NEPA is to cultivate public participation in agency decision-making. Information security should trump public involvement only in the narrowest of circumstances. (Other, Seattle, WA - #213.5.20700.A7)

711. Public Concern: The CEQ Task Force should recognize that increased security concerns have diminished the quality of information available to the public.

[A.7] Increased security concerns are seriously diminishing the quality of information available to the public. Much of the censorship is aimed at maps that already have been widely disseminated in the public domain. Documents subjected to such censorship are difficult to interpret due to the deleted or low-resolution maps and related information. (Civic Group, Oak Ridge, TN - #88.7.20700.A7)

712. Public Concern: The CEQ Task Force should encourage agencies to make information available from several different sources.

What factors should be considered in balancing public involvement and information security? . . . Have information available from several different sources. (Individual, Rogue River, OR - #382.13.20700.A7)

713. Public Concern: The CEQ Task Force should be aware of situations where state law requires release of information.

Other than 40 C.F.R. [section] 1507.3 (e) for classified proposals either by Executive Order or statute, software security devices exist for electronic documents. However, security is also of concern to intergovernmental cooperation in relation to Instruction Memorandum No. 2002-149 of April 18, 2002 —“Does the agency release predecisional information (including working drafts) in a manner that undermines or circumvents the agreement to work cooperatively before publishing draft or final analyses and documents?. . . .Agencies must be alert to situations where state law requires release of information.” (Multiple Use or Land Rights Organization, Rock Springs, WY - #453.18.20700.A7)

714. Public Concern: The CEQ Task Force should not constrain dissemination of information to public lands committees or other interested parties.

Information Security concerns—this section should not constrain dissemination of information to our public lands committee or other interested parties. (Cloyd Harrison, et al, Commissioners, Uintah County Board of Commissioners - #468.5.20700.XX)

715. Public Concern: The CEQ Task Force should advise agencies not to be concerned with information security with respect to public comment.

NEPA is allegedly a public process why are we concerned about information security? Unless some dippy computer nerd is changing my comments, I realize my comment is public and expect it to be read. (Individual, Pioche, NV - #330.1.20700.A7)

Treatment of Sensitive Information

716. Public Concern: The CEQ Task Force should consider what types of information should not be made public.

SENSITIVE DATA SUCH AS ECONOMIC AND CULTURALLY SIGNIFICANT INFORMATION

First, it is essential that the document is actually ready for review before public comment is solicited. Once that stage is reached, very little information should ever be withheld from the public. . . . proprietary and/or sensitive data such as economic and culturally significant information should not be a public concern. (Bob Cope, Commissioner, Lemhi County Board of Commissioners, Salmon, ID - #70.11.20700.A7)

INFORMATION ON TRIBAL HISTORICAL SITES

Response: Nearly all the information the Forest Service has gathered with public funds; thus, it is available to whoever wants to see it. The only exceptions are tribal historic sites. In order to protect these sites, the USFS must know their location. However, this information is not shared with the public,

because it would alert artifact and pot hunters where to go dig. (Government Employee/Union, Grangeville, ID - #44.8.20700.A7)

PERSONNEL DATA

First, it is essential that the document is actually ready for review before public comment is solicited. Once that stage is reached, very little information should ever be withheld from the public. Personnel data is obviously not a public matter . . . (Bob Cope, Commissioner, Lemhi County Board of Commissioners, Salmon, ID - #70.11.20700.A7)

INFORMATION THAT COULD POTENTIALLY ENDANGER A PROJECT OR PERSONNEL

The public needs to have as much information as possible, to ensure that they fully understand the size, scope and intended results of a proposal. However, information that could potentially endanger a project or personnel should not be released. (Domestic Livestock Industry, Albuquerque, NM - #80.14.20700.A7)

PRIVATE CITIZEN INFORMATION

In reviewing information maintained and available in the agencies, there is a lot of private personal information on civilians required and maintained by agency personnel that has nothing to do with their business at hand. Example, the ranchers have grazing allotments and pay a fee to graze cattle to the requirements of the Government. In some of the grazing plans the ranchers are required provide the documentation on the sale of the cattle, information on how much they receive for the cattle, and who the cattle are sold to. Once the cattle leave the federal land, the agencies have no legal or legislative requirement for this type information and to require it is an infringement on the ranchers' privacy. (Individual, Huachuca City, AZ - #372.22.20700.A7)

PERSONAL IDENTIFYING INFORMATION THAT CONSTITUTES AN INVASION OF PRIVACY

We suggest you take note of the NCBA comments (Scott Klundt, Esq.) that agencies must be very careful when dealing with information obtained from private citizens. Several legal safeguards exist to protect the privacy of citizens. For instance, the Privacy Act, 5 U.S.C. 552a, and the Freedom of Information Act (FOIA), 5 U.S.C., are two statutes designed to protect private citizens' personal lives. Agency regulations governing the release of private information also exist such as 7 C.F.R. section 1.11, the United States Department of Agriculture's rules on private information. Citizens certainly have the right to know what their government is up to but that right is not absolute. . . . [One] Exemption bars the disclosure of any personal identifying information the release of which would result in an unwarranted invasion of privacy. 5 U.S.C. 552(b)(6). (Domestic Livestock Industry, La Grande, OR - #496.14.20700.A7)

ONLY INFORMATION THAT COULD JEOPARDIZE PRIVATE CITIZENS OR NATIONAL SECURITY

The information provided in NEPA documentation should be sufficient for the public to understand clearly management issues and the alternatives proposed to resolve those issues. It has not been our experience that federal agencies often neglect or choose not to provide this information in sufficient detail or clarity for public comprehension. If data are not available or are unavailable to provide to the public because of security reasons, then agencies should provide as much as they can and then clearly explain why certain information is unavailable.

In circumstances involving public funds or trust resources, such as wildlife, the bias must favor open disclosure and public involvement. Only in cases where such an approach poses a specific threat to the well being of private citizens should processes be closed and sequestered; and even in such cases, if participation is discretionary, the program or process should be open. To do otherwise fosters distrust and disenfranchises the agency's constituencies, ultimately weakening the programs and process. (Recreational/Conservation Organization, Washington, DC - #89.12.20700.A7)

No information that could jeopardize our national security or give advantage to any entity whose intent is to do harm to the United States should be made public.

No other information should be kept from the public. In particular, any information regarding any industry with plans to utilize our environment, where if that information were made available, the

public would want such action revoked or halted, particular concern of areas where profits would be gained by that industry and/or peripheral interested parties, a factor that should be irrelevant to the decision of making the information available to the public. (Individual, Lynnwood, WA - #178.1.20700.A7)

INFORMATION THAT IS LEGALLY CLASSIFIED

A.7. The concept of information security should be limited to information that is legally classified. All other information/data should start from the position of being freely available to the public. That is a proposition upon which the US was formed. Where there is a need to limit the public's access to data that data should be described and the reason explained for its being classified. Where data or information is classified the public must also be given an opportunity to challenge the classification administratively and if necessary in court. The NEPA analysis must be either 1) be delayed when the public challenges the classification of information or data or 2) be reversed/reopened when the public is successful at challenging its denial to access the classified data/information. The purpose is to not impair the public's opportunity to comment and participate because of classified data or information. I cannot imagine what environmental information could itself be a security risk. (Preservation/Conservation Organization, Bozeman, MT - #662.8.20700.A7)

TRADE SECRETS AND COMMERCIAL AND FINANCIAL INFORMATION

We suggest you take note of the NCBA comments (Scott Klundt, Esq.) that agencies must be very careful when dealing with information obtained from private citizens. Several legal safeguards exist to protect the privacy of citizens. For instance, the Privacy Act, 5 U.S.C. 552a, and the Freedom of Information Act (FOIA), 5 U.S.C., are two statutes designed to protect private citizens' personal lives. Agency regulations governing the release of private information also exist such as 7 C.F.R. section 1.11, the United States Department of Agriculture's rules on private information. Citizens certainly have the right to know what their government is up to but that right is not absolute. One applicable Exemption to FOIA bars the release of trade secrets, commercial and financial information. 5 U.S.C 552(b)(4). (Domestic Livestock Industry, La Grande, OR - #496.14.20700.A7)

BUSINESS PLANS AND RELATED INFORMATION

What factors should be considered in balancing public involvement and information security? [T]he new federal Information Quality Guidelines specifically include new standards for the "integrity" of information being maintained and disseminated by federal agencies. These standards are now binding on all federal agencies through OMB's model guidelines, and should be incorporated by the NEPA Task Force in any subsequent guidance it issues. "Integrity" is defined in the OMB model guidelines as referring to the "security" of information. Essentially, the new guidelines require that information be protected from unauthorized access or revision to ensure that it is not compromised through corruption or falsification. These new information quality guidelines apply to all information "disseminated" to the public as well as information "used" by the agencies as the basis for substantive decisions.

There tend to be two basic types of activities subject to NEPA: specific projects and programmatic actions. NAHB submits that there may be different considerations for each of these NEPA actions. For project-specific actions, we believe that some information is propriety and must remain that way. This information and subsequent information for security considerations includes business plans, pro forma, budgets, and other financial information, which does not belong in the public domain. In considering the programmatic impacts of federal actions, we believe that all information used to support the NEPA analysis should be fully available for public review and scrutiny. (Business, Washington, DC - #517.7.20700.A7)

FACILITY LOCATIONS RELATIVE TO RECEPTORS

DOE conducts security reviews of new NEPA documents to determine whether to authorize paper and web publication of all or parts of documents. DOE security reviews now include consideration of non-classified but potentially security sensitive information. Factors that DOE considers in conducting such reviews include whether (non-classified) information could damage homeland security (e.g., specific information about the location of a potential security vulnerability), and whether or not information is appropriate for release under the Freedom of Information Act. DOE also considers whether potentially sensitive information is needed for an adequate NEPA analysis; in some cases DOE found that sensitive

information originally intended to be included in a NEPA document was not needed for an adequate analysis. In other cases, sensitive information (e.g., information about facility locations relative to receptors) was needed for an adequate EIS, and the information was segregated into a separate volume for “official use only,” which will be made available upon written request to people with a need for the information. (See Dec. 2001, March 2002, and June 2002 Lessons Learned articles, Enclosure 2.) (United States Department of Energy, Washington, DC - #536.8.20700.A7)

717. Public Concern: The CEQ Task Force should ensure the security of existing computer data and modeling.

The nature of the proposed action is a factor that should be considered in evaluating information security. An EIS for modifications to a nuclear power plant or dam might have heightened security requirements compared to an EIS for land management. If as we suggest, the public is given access to data bases and models to aid in review and comment on environmental documents, it would be important to have that access restricted so any corruption of the data or model available on the publicly accessible art of a website will not affect the original data and model used by the agency. (Timber or Wood Products Industry, Portland, OR - #454.17.20700.XX)

Where information security refers to computer security (hacking) the government should take steps to insure that data is secured behind firewalls and similar isolating mechanisms. I cannot imagine how making information available to the public could create a greater risk of hacking or sabotage than when information is not available to the public. (Preservation/Conservation Organization, Bozeman, MT - #662.9.20700.A7)

718. Public Concern: The CEQ Task Force should encourage agencies to use software that protects electronically posted documents from editing by third parties.

[A7] Information can be posted electronically without infringing upon document integrity (i.e., alteration) through the use of appropriate word-processing software. For example, Adobe offers the option of protecting documents from editing by third parties, and yet allows the document to be searched. (Preservation/Conservation Organization, Vancouver, WA - #103.8.20700.A7)

The electronic availability of data and comments is expected to substantially increase the opportunity for the general public to actively participate in the NEPA process. Prudent security measures would include those that prevent the outside manipulation of web-based data. Data that are distributed electronically should also be provided in a read-only format to minimize the potential for manipulation and misuse. (Surface Transportation Board, No Address, - #519.14.20700.A7)

719. Public Concern: The CEQ Task Force should consider developing two separate versions of NEPA documents

TO SEPARATE CONFIDENTIAL INFORMATION FROM PUBLIC INFORMATION

We believe the task force should answer these questions:

Given that certain information other than “Classified information” such as proprietary business information can lawfully be withheld from public disclosure under NEPA, should a public NEPA document be a redacted version of the original: Namely, the agency will remove all proprietary, classified, or otherwise FOIA exempt material and release the document that remains. In other words, there would be an “internal” version of the document that contains the withheld data and a “public” version of the document. Or an ambiguous NEPA document: a NEPA document that must be altered to “hide proprietary data” by ambiguity, generalization or gross summarization. In this case there would be only the “external” document as this will be the one that the decision maker must consider. It may have a restricted annex containing certain privileged information.

If we agree that proprietary data can be lawfully withheld, should the US EPA be advised to evaluate the internal proprietary version (rather than the redacted public version) of the EIS in grading the document? If not, why not? (United States Coast Guard, No Address - #600.15.20700.XX)

AND PROVIDE THE VOLUME CONTAINING HIGH RISK INFORMATION ONLY TO THOSE WHO PROVIDE IDENTIFICATION

What factors should be considered in balancing public involvement and information security?

The vast amount of data that we use in our decision-making is public in nature. We do however; need to consider issues relating to homeland security, and the extent of available information concerning cultural resources and endangered species.

DOE has examined this issue at some length and appears to have come to be a reasonable compromise between security and public right-to-know (i.e., segregating information of potential use to terrorists in a separate EIS volume, keeping this volume off of the internet, and out of the reading rooms, but providing it upon request to those providing their name and address). (United States Environmental Protection Agency, No Address - #299.25.20700.A7)

720. Public Concern: The CEQ Task Force should give more detail to resource management agencies.

Information security is important. For example, Idaho Department of Fish and Game (IDFG) is particularly concerned about information on the exact location of rare species. We provide approximate locations to the general public. Agencies and educational institutions receive greater detail but must sign an information use agreement to protect sensitive information. Most information providers have developed their own security systems for the data they disseminate. Resource management agencies should be considered separately from the public in the level of detail they are provided. (Idaho Department of Fish and Game, Boise, ID - #579.4.20700.A7)

721. Public Concern: The CEQ Task Force should encourage agencies to provide non-government biologists with otherwise sensitive data regarding the location of threatened and endangered species.

In relation to information security, federal biologists need to at least provide other professional biologists with data. If the federal biologists fear providing information to the public about the location of T and E species, that is valid. Not providing the information to their non-agency peers hinders those of us non-government biologists who perform NEPA analyses. (NEPA Professional or Association - Private Sector, Tucson, AZ - #82.9.20611.A1)

722. Public Concern: The CEQ Task Force should encourage agencies to treat statutorily protected material the same as classified information.

Recommendation as a best practice: Our recommendation is that all federal agencies be encouraged to treat statutorily protected material such as procurement sensitive information and proprietary data the same way as classified information. In other words, EPA and other reviewing agencies should be encouraged to review the internal EIS and EPA and other reviewing agencies should be encouraged to review the internal EIS and refrain from commenting on the information that has been redacted from the public version (if any). They might even be encouraged to verify that the material which has been withheld would make the EIS full and complete, meriting a much higher grade. (United States Coast Guard, No Address - #600.17.20700.XX)

723. Public Concern: The CEQ Task Force should consider the inconsistency in Department of Energy sites on the electronic availability of both historic and time-sensitive review drafts of public documents.

We are troubled by the inconsistency we have seen among DOE sites on the availability of both historic and time-sensitive review drafts of public documents in electronic format. (Civic Group, Oak Ridge, TN - #88.7.20700.A7)